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MEMORANDUM

December 18, 1998 DEC 18 PM 1:45

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (WATTS) *CBW/NKB*

RE: DOCKET NO. 981427-<sup>TP</sup>~~N~~ - In re: Request by BellSouth Telecommunications, Inc. for approval of amendment to resale agreement with Intellicall Operator Services, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

98-1728-FOF

Attached is an **Order Approving Amendment to Existing Resale Agreement** to be issued in the above-referenced docket. (Number of pages in order - 3)

CBW/slh  
Attachment  
cc: Division of Communications (Ileri)  
I:981427or.cb

ATTACHMENT(S) ON ON-LINE

*Handwritten signature and date*  
1/2/99

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth Telecommunications, Inc. for approval of amendment to resale agreement with Intellicall Operator Services, Inc. pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

DOCKET NO. 981427-TP  
ORDER NO. PSC-98-1729-FOF-TP  
ISSUED: December 18, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.

ORDER APPROVING AMENDMENT TO EXISTING  
RESALE AGREEMENT

BY THE COMMISSION:

On October 27, 1998, BellSouth Telecommunications, Inc. (BellSouth) and Intellicall Operator Services, Inc. (Intellicall) filed a request for approval of an amendment to the existing resale agreement under 47 U.S.C. §252(e) of the Telecommunications Act of 1996 (the Act). The amendment to the existing agreement is attached to this Order as Attachment A and incorporated by reference herein.

Both the Act and Chapter 364, Florida Statutes, encourage parties to enter into negotiated agreements to bring about local exchange competition as quickly as possible. Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved.

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STATE OF FLORIDA

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This amendment to the existing agreement governs the relationship between the companies regarding local resale and the exchange of traffic pursuant to 47 U.S.C. § 251. Upon review of the proposed amendment to the existing agreement, we believe that it complies with the Telecommunications Act of 1996; thus, we hereby approve it. BellSouth and Intellicall are also required to file any subsequent supplements or modifications to their agreement with the Commission for review under the provisions of 47 U.S.C. § 252(e).


Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the amendment to the existing resale agreement between BellSouth Telecommunications, Inc. and Intellicall Operator Services, Inc., as set forth in Attachment A and incorporated by reference in this Order, is hereby approved. It is further

ORDERED that any supplements or modifications to this agreement must be filed with the Commission for review under the provisions of 47 U.S.C. § 252(e). It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 18th day of December, 1998.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

CBW

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review in Federal district court pursuant to the Federal Telecommunications Act of 1996, 47 U.S.C. § 252(e)(6).

**AMENDMENT TO RESALE AGREEMENT BETWEEN  
INTERLINK TELECOMMUNICATIONS, INC. AND  
BELLSOUTH TELECOMMUNICATIONS, INC. DATED DECEMBER 1, 1996**

This Amendment ("Amendment") is made as of the date both parties have signed, to that certain Resale Agreement ("Resale Agreement") between BellSouth Telecommunications, Inc. ("BST") and Interlink Telecommunications, Inc. ("Interlink"), hereinafter referred to collectively as the "Parties", dated December 1, 1996.

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Interlink and BST hereby covenant and agree as follows:

1. The Resale Agreement is hereby amended to reflect Interlink's change of name from Interlink Telecommunications, Inc. to Intellicall Operator Services, Inc.
2. All other terms and conditions of the Resale Agreement shall remain in full force and effect.
3. The Parties further agree that either or both of the Parties is authorized to submit this Amendment to the appropriate Public Service Commissions for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties have executed this Amendment through their authorized representatives.

BellSouth Telecommunications, Inc.

BY:   
Signature

NAME: Jerry Hendrix  
Printed Name

TITLE: Director

DATE: 7/29/98

Intellicall Operator Services, Inc.

BY:   
Signature

NAME: Dennis Stoutenburgh  
Printed Name

TITLE: President

DATE: June 30, 1998