

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of collocation agreement negotiated by BellSouth Telecommunications, Inc. with DeltaCom, Inc. pursuant to Section 252(e) of the Telecommunications Act of 1996.

DOCKET NO. 971420-TP
ORDER NO. PSC-98-0253-FOF-TP
ISSUED: February 9, 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 COLLOCATION AGREEMENT

BY THE COMMISSION:

On October 24, 1997, BellSouth Telecommunications, Inc. (BST) and DeltaCom, Inc. (DeltaCom) filed a request for approval of a collocation agreement under the Telecommunications Act of 1996, 47 U.S.C. §252(e) of the Telecommunications Act of 1996 (the Act). The 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.

This agreement covers a two-year period and governs the relationship between the companies regarding physical collocation, interconnection, and the resale of tariffed telecommunication services under 47 U.S.C. § 252(a)(1), and the exchange of traffic pursuant to 47 U.S.C. § 251. Under 47 U.S.C. § 252(a)(1), the agreement shall include a detailed schedule of itemized charges for interconnection and each service or network element included in the agreement. The agreement states that collocation space will be

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provided for DeltaCom in BST's Central Office and telecommunications services provided by BST for resale will be available for purchase by DeltaCom. Rates for the collocation space and telecommunications services are set out in the attached schedules.

Upon review of the proposed agreement, we believe that it complies with the Telecommunications Act of 1996; thus, we hereby approve it. The Commission's approval of this agreement should not be construed as a determination that BST has met the requirements of Section 271 of the Act. BST and DeltaCom 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 collocation agreement between BellSouth Telecommunications, Inc. and DeltaCom, 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 9th day of February, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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