

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth Telecommunications, Inc. for approval of first amendment to interconnection and unbundling agreement with United States Cellular Corporation pursuant to Sections 251, 252, and 271 of the Telecommunications Act of 1996.

DOCKET NO. 980413-TP
ORDER NO. PSC-98-0899-FOF-TP
ISSUED: July 6, 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
INTERCONNECTION AND UNBUNDLING AGREEMENT

BY THE COMMISSION:

On March 23, 1998, BellSouth Telecommunications, Inc. (BST) and United States Cellular Corporation (US Cellular) filed a request for approval of an amendment to the existing interconnection and unbundling agreement under the Telecommunications Act of 1996, 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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This amendment to the existing governs the relationship between the companies regarding local interconnection 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. The Commission's approval of this agreement should not be construed as a determination that BellSouth has met the requirements of Section 271 of the Act. BST and US Cellular 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). We note that US Cellular does not currently hold a Florida certificate to provide alternative local exchange telecommunications service, and therefore, it cannot provide land-line services under this agreement until it obtains a certificate from this Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the amendment to the existing interconnection and unbundling agreement between BellSouth Telecommunications, Inc. and United States Cellular Corporation, as set forth in Attachment A and incorporated by reference in this Order, is hereby approved. It is further

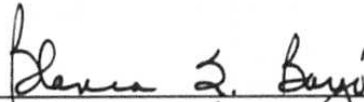
ORDERED that any supplements or modifications to this agreement must be filed with the Commission for review under the provisions of 47 U.S.C. § 252(e). It is further

ORDERED that United States Cellular Corporation shall not provide land-line services under this agreement until it obtains a certificate to provide alternative local exchange telecommunications services from this Commission. It is further

ORDERED that this docket shall be closed.

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By ORDER of the Florida Public Service Commission, this 6th
day of July, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

KMP

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).

...ST AMENDMENT

TO

INTERCONNECTION AGREEMENT BETWEEN
UNITED STATES CELLULAR CORPORATION AND BELL SOUTH
TELECOMMUNICATIONS, INC. ("BellSouth")

WHEREAS, pursuant to sections 251 and 252 of the Telecommunications Act of 1996, United States Cellular Corporation and BellSouth entered into an interconnection agreement (the "Agreement") for the rates, terms, and conditions of the exchange of traffic between the parties to be effective April 1, 1997;

WHEREAS, the Agreement was approved by the Florida Public Service Commission on July 15, 1997, by the Georgia Public Service Commission on July 1, 1997, by the North Carolina Utilities Commission on May 14, 1997, by the South Carolina Public Service Commission on April 25, 1997, and filed with the Tennessee Regulatory Authority on November 7, 1997;

WHEREAS, the Agreement provided for an initial LATA-wide Additive that was included in Type 1 and Type 2A rates, subject to further negotiation by the parties; and

WHEREAS, United States Cellular Corporation and BellSouth have negotiated a final LATA-wide Additive as set forth herein.

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, United States Cellular Corporation and BellSouth hereby covenant and agree as follows:

- I. Section V of the Agreement is hereby revised to read as follows:

V. Modification of Rates

The LATA-wide Additive reflected in Attachment B-1 for Type 1 and Type 2A rates is intended to compensate BellSouth for additional transport and other costs associated with transporting and terminating Local Traffic throughout a LATA instead of only within local calling areas as defined by the Commission as of the Effective Date. ~~From the Effective Date until the expiration or termination of the Agreement, the LATA-wide Additive shall be the rate per minute in each state as set forth in Attachment B-1 (Amended).~~ The parties shall make the adjustment, or "true-up" described in the original Section V of the Agreement for the purpose of applying the final LATA-wide Additive back to the Effective Date of the Agreement.

Initial
[Signature]

2. Attachment B-1 of the Agreement is hereby revised and replaced with Attachment B-1 (Amended) appended hereto and made a part hereof.

3. The parties agree that except as specifically modified by this Amendment all other provisions of the Agreement shall remain in full force and effect.

4. The parties further agree that either or both of the parties is authorized to submit this Amendment to the Commission or other regulatory body having jurisdiction over the subject matter of this Amendment for approval subject to Section 252(e) of the Telecommunications Act of 1996.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

James N. Martin
United States Cellular Corporation
By: [Signature]
DATE: 1-27-98

BellSouth Telecommunications, Inc.
By: [Signature]
DATE: 1/23/98

ATTACHMENT B-1(Amended)

CMRS Local Interconnection Rates
(All rates are Per Minute of Use)

Florida

| | | |
|---------------------------------|---------|---|
| Type 1 (End Office Switched): | .003776 | (Includes LATAwide Additive of .000516) |
| Type 2A (Tandem Switched): | .003776 | (Includes LATAwide Additive of .000516) |
| Type 2B (Dedicated End Office): | .002 | |

Georgia

| | | |
|---------------------------------|---------|---|
| Type 1 (End Office Switched): | .004513 | (Includes LATAwide Additive of .000533) |
| Type 2A (Tandem Switched): | .004513 | (Includes LATAwide Additive of .000533) |
| Type 2B (Dedicated End Office): | .00160 | |

North Carolina

| | | |
|---------------------------------|---------|---|
| Type 1 (End Office Switched): | .006758 | (Includes LATAwide Additive of .000568) |
| Type 2A (Tandem Switched): | .006758 | (Includes LATAwide Additive of .000568) |
| Type 2B (Dedicated End Office): | .004 | |

South Carolina (EFFECTIVE April 1, 1997 thru April 30, 1997)

| | | |
|---------------------------------|---------|---|
| Type 1 (End Office Switched): | .013853 | (Includes LATAwide Additive of .000493) |
| Type 2A (Tandem Switched): | .013853 | (Includes LATAwide Additive of .000493) |
| Type 2B (Dedicated End Office): | .00221 | |

South Carolina (EFFECTIVE May 1, 1997)

| | | |
|---------------------------------|---------|---|
| Type 1 (End Office Switched): | .006431 | (Includes LATAwide Additive of .000493) |
| Type 2A (Tandem Switched): | .006431 | (Includes LATAwide Additive of .000493) |
| Type 2B (Dedicated End Office): | .00221 | |

Tennessee

| | | |
|---------------------------------|---------|---|
| Type 1 (End Office Switched): | .003767 | (Includes LATAwide Additive of .000497) |
| Type 2A (Tandem Switched): | .003767 | (Includes LATAwide Additive of .000497) |
| Type 2B (Dedicated End Office): | .0019 | |