

MEMORANDUM

February 8, 1999

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99 FEB -8 PM 2:36

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (MILLER) *Jam MCB*

RE: DOCKET NO. 981551-TP - REQUEST BY BELLSOUTH
TELECOMMUNICATIONS, INC. FOR APPROVAL OF AMENDMENT OF
INTERCONNECTION, UNBUNDLING, AND RESALE AGREEMENT WITH
INTERSTATE TELEPHONE GROUP PURSUANT TO SECTIONS 251, 252,
AND 271 OF THE TELECOMMUNICATIONS ACT OF 1996.

0233-FOF

Attached is an ORDER APPROVING AMENDMENT TO EXISTING
INTERCONNECTION, UNBUNDLING, AND RESALE AGREEMENT, with
attachments, to be issued in the above-referenced docket. (Number
of pages in order - 5)

JAM/anr
Attachment
cc: Division of Communicatio
I: 981551.jam

see 1

ATTACHMENT(S) NOT ON-LINE

*2-RAR.
Sent to M.R.
2/10/99*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth Telecommunications, Inc. for approval of amendment to interconnection, unbundling, and resale agreement with Interstate Telephone Group pursuant to Sections 251, 252, and 271 of the Telecommunications Act of 1996.

DOCKET NO. 981551-TP
ORDER NO. PSC-99-0233-FOF-TP
ISSUED: February 9, 1999

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING AMENDMENT TO EXISTING
INTERCONNECTION, UNBUNDLING, AND RESALE AGREEMENT

BY THE COMMISSION:

On November 5, 1998, BellSouth Telecommunications, Inc. (BellSouth) and Interstate Telephone Group (Interstate) filed a request for approval of an amendment to their existing interconnection, unbundling, and 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.

DOCUMENT NUMBER-DATE

01674 FEB-98

FPSC-RECORDS/REPORTING

ORDER NO. PSC-99-0233-FOF-TP
DOCKET NO. 981551-TP
PAGE 2

The existing agreement governs the relationship between the companies regarding local interconnection, unbundling, and 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. 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. BellSouth and Interstate 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 Interstate does not currently hold a Florida certificate to provide alternative local exchange telecommunications service, and therefore, it cannot provide alternative local exchange telecommunications 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, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and Interstate Telephone Group, 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 Interstate Telephone Group shall not provide alternative local exchange telecommunications 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.

ORDER NO. PSC-99-0233-FOF-TP
DOCKET NO. 981551-TP
PAGE 3

By ORDER of the Florida Public Service Commission, this 9th
day of February, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: _____

Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

JAM

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 THE
INTERCONNECTION AGREEMENT,
DATED APRIL 15, 1997, BETWEEN
INTERSTATE TELEPHONE GROUP and
BELLSOUTH TELECOMMUNICATIONS, INC.**

Pursuant to this Agreement (the "Amendment"), Interstate Telephone Group ("Interstate") and BellSouth Telecommunications, Inc. ("BellSouth") hereinafter referred to collectively as the "Parties" hereby agree to amend that certain Master Interconnection Agreement between the Parties dated April 15, 1997 ("Interconnection Agreement").

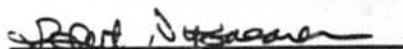
NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Interstate and BellSouth hereby covenant and agree as follows:

1. The Parties agree to eliminate and strike the language of paragraphs 6 and 7 on page 2 in the Amendment effective March 1, 1998, and insert in place thereof the following paragraphs:
 6. The Parties agree that ~~all access traffic shall be billed on an element basis at the rates, terms and conditions reflected in the respective companies' Access Service Terms~~, which have been approved by appropriate regulatory bodies.
 7. The Parties agree that all of the other provisions of this Amendment and the Interconnection Agreement, dated April 15, 1997, shall remain in full force and effect.
2. The Parties further agree that either or both of the Parties are authorized to submit this Amendment to the Georgia Public Service Commission, for approval subject to Section 252(e) of the Federal 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.

Interstate Telephone Group .

BellSouth Telecommunications, Inc.


Signature


Signature

Robert Nyswaner
Name

Jerry D. Hendrix
Name

CFO
Title

Director - Interconnection Svcs.
Title

9/17/98
Date

9/21/98
Date