

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth
Telecommunications, Inc. for
approval of interconnection,
unbundling, and resale agreement
with Comm Depot, Inc.

DOCKET NO. 982018-TP
ORDER NO. PSC-99-0452-FOF-TP
ISSUED: March 4, 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 ADOPTION OF RESALE, INTERCONNECTION,
AND UNBUNDLING AGREEMENT

BY THE COMMISSION:

On December 30, 1998, BellSouth Telecommunications, Inc. (BST) and Comm Depot, Inc. (Comm Depot) filed a request for acknowledgment of the adoption in its entirety of the resale, interconnection, and unbundling agreement between BST and DeltaCom, Inc. (DeltaCom), pursuant to 47 U.S.C. §252(e) of the Telecommunications Act of 1996 (the Act). The resale, interconnection, and unbundling agreement between BST and DeltaCom was approved by this Commission by Order No. PSC-98-0045-FOF-TP, issued on January 6, 1998. A copy of the agreement between BST and DeltaCom, approved by Order No. PSC-98-0045-FOF-TP, may be obtained by contacting our Division of Records and Reporting.

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 30 days after submission or it shall be deemed approved.

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This agreement covers the same time period specified in the BST and DeltaCom agreement and governs the relationship between the companies regarding local interconnection 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.

Upon review of the proposed agreement, we find that it complies with the Telecommunications Act of 1996; thus, we hereby approve it. BST and Comm Depot must file any supplements or modifications to their agreement with the Commission for review under the provisions of 47 U.S.C. § 252(e). We note that approval of this agreement does not constitute a determination that BST has met the requirements of Section 271 of the Telecommunications Act. We note that Comm Depot, Inc. 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.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the request by BellSouth Telecommunications, Inc. and Comm Depot, Inc. to adopt in its entirety a resale, interconnection, and unbundling agreement, is hereby approved. It is further

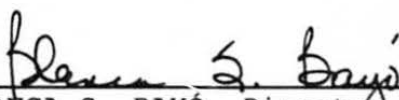
ORDERED that any supplements or modifications to this agreement must be filed with the Commission for review under the provisions of 47 U.S.C. § 252(e). It is further

ORDERED that Comm Depot, Inc. 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.

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By ORDER of the Florida Public Service Commission, this 4th
day of March, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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).