

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of amendment to resale agreement negotiated by BellSouth Telecommunications, Inc. and Cincinnati Bell Long Distance pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

DOCKET NO. 980834-TP
ORDER NO. PSC-98-1346-FOF-TP
ISSUED: October 12, 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 July 8, 1998, BellSouth Telecommunications, Inc. (BST) and Cincinnati Bell Long Distance (Cincinnati Bell) 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.

The existing agreement governs the relationship between the companies regarding the resale of tariffed telecommunication services. 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

DOCUMENT NUMBER-DATE

11203 OCT 12 98

REGISTRATION/REPORTING

ORDER NO. PSC-98-1346-FOF-TP
DOCKET NO. 980834-TP
PAGE 2

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. BST and Cincinnati Bell 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 Cincinnati Bell 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 resale agreement between BellSouth Telecommunications, Inc. and Cincinnati Bell Long Distance, 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 Cincinnati Bell Long Distance 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-98-1346-FOF-TP
DOCKET NO. 980834-TP
PAGE 3

By ORDER of the Florida Public Service Commission, this 12th
day of October, 1998.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(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).

AMENDMENT
TO
THE RESALE AGREEMENT BETWEEN
CINCINNATI BELL LONG DISTANCE AND
BELLSOUTH TELECOMMUNICATIONS, INC.
DATED JANUARY 1, 1998

Pursuant to this Agreement (the "Amendment"), Cincinnati Bell Long Distance ("CBLD") and BellSouth Telecommunications, Inc. ("BellSouth") hereinafter referred to as the "Parties", hereby agree to amend the Resale Agreement between the Parties dated March 20, 1998 ("Resale 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, the Parties and BellSouth hereby covenant and agree as follows:

1. The Parties agree that the Operational Support Systems (OSS) Rates Table in Exhibit A of the Resale Agreement shall be modified by deleting "(unlimited end user accounts)" in the charge per order column under OSS Order Charge, and inserting "(per end user account)" below OSS Order Charge as referenced in Attachment 1 of this Amendment.
2. All of the other provisions of the Resale Agreement shall remain unchanged and in full force and effect.
3. Either or both of the Parties is authorized to submit this Amendment to the appropriate State Public Service Commissions or other Regulatory Agencies 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.

Cincinnati Bell Long Distance

By: 

Signature

Name: Barry L. Nelson
Printed Name

Title: President & CEO

Date: 5/11/98

BellSouth Telecommunications, Inc.

By: 

Signature

Name: Jerry D. Hendry
Printed Name

Title: Director

Date: 5/15/98

Attachment 1

EXHIBIT A
(Amended)

OPERATIONAL SUPPORT SYSTEMS (OSS) RATES				
	Interactive Ordering and Trouble Maintenance System		Non-recurring OSS Order Charge	
	Non-Recurring Establishment Charge	Recurring Charge, per month	Charge per electronic order¹	Charge for manually placed orders¹
ALABAMA	\$100.00	\$50.00	\$10.80	\$22.00
FLORIDA	\$100.00	\$50.00	\$10.80	\$22.00
GEORGIA	\$200.00	\$550.00 per first 1000 electronic orders ¹ ; \$110.00 per next 1000 electronic orders ¹	Note ²	\$22.00
KENTUCKY	\$100.00	\$50.00	\$10.80	\$22.00
LOUISIANA	\$100.00	\$50.00	\$9.16	\$18.14
MISSISSIPPI	\$100.00	\$50.00	\$10.80	\$22.00
NORTH CAROLINA	\$100.00	\$50.00	\$10.80	\$22.00
SOUTH CAROLINA	\$100.00	\$50.00	\$10.80	\$22.00
TENNESSEE	\$100.00	\$50.00	\$10.80	\$22.00

¹ The Charge per order applies on a per end user account basis.

² The Georgia Public Service Commission ("PSC") ordered in Docket No. 7061-U that there would be no OSS charge within the Charge per electronic order column. Instead, the Georgia PSC ordered monthly recurring charges based on number of orders.