

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Sprint-
Florida, Incorporated for
approval of interconnection
agreement with Palmer Wireless,
Inc.

DOCKET NO. 970611-TP
ORDER NO. PSC-97-1032-FOF-TP
ISSUED: August 27, 1997

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARCIA

ORDER APPROVING INTERCONNECTION AGREEMENT

BY THE COMMISSION:

On May 20, 1997 Sprint-Florida, Incorporated (Sprint) filed a request for approval of an interconnection agreement between Sprint and Palmer Wireless, Inc. (Palmer) under the Telecommunications Act of 1996, 47 U.S.C. § 251 et seq. (the Act). The Agreement is attached to this Order as Attachment A and incorporated by reference herein. The agreement specifies the rates used for reciprocal compensation between Sprint and Palmer.

Upon review of the proposed agreement, we find that it complies with Florida law and the Telecommunications Act of 1996 and we approve it. Sprint and Palmer must file any supplements or modifications to their agreement with the Commission for review under the provisions of 47 U.S.C. § 252 (e). It should be noted that Palmer is not certificated as an Alternative Local Exchange Company (ALEC). Palmer shall not provide landline service under this agreement until it receives its certificate.

Based on the foregoing, it is

DOCUMENT NUMBER-DATE

08673 AUG 27 97

FPSC-RECORDS/REPORTING

ORDER NO. PSC-97-1032-FOF-TP
DOCKET NO. 970548-TP
PAGE 2

ORDERED by the Florida Public Service Commission that the interconnection agreement between Sprint-Florida, Incorporated and Palmer Wireless, Inc., filed on May 20, 1997, is incorporated by reference in this Order and approved according to the terms stated in the body of this Order. It is further

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

ORDERED that Palmer Wireless, Inc. shall not provide landline services until it is certificated as an alternative local exchange company. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 27th day of August, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

AED

ORDER NO. PSC-97-1032-FOF-TP
DOCKET NO. 970548-TP
PAGE 3

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).

MAY-19-97 MON 09:45 AM ST NT
SENT BY PALMER WIRELESS INC : 3-11-97 : 3:05 : FAX NO. / 889 1274 P. 03/05
FBI FL. CRJ- 407 889 1274 P 2/ 8

Attachment A



Brooks R. Albery
Director - Carrier Markets

Southern Operations
Box 165000 JAC 5527
Altamonte Springs, Florida 32716-5000
Telephone (407) 889-1389
Fax (407) 889-1274

February 11, 1997

Mr. Patrick Meehan
Palmer Wireless, Inc.
12800 University Drive, Suite 500
Fort Myers, FL 33907-5337

Dear Patrick:

Sprint-Florida, Inc. ("Sprint") and Palmer Wireless, Inc. ("Palmer") agree that all Landline/Commercial Mobile Radio Service ("CMRS") interconnections between the parties in the state of Florida shall be provided at the rates and upon the terms and conditions outlined in this Letter Agreement:

- The ratio of 69:31, 69% Mobile-to-Land and 31% Land-to-Mobile, will be used as the ratio for reciprocal compensation between Sprint and Palmer for the period 11/1/96 through 5/1/97 and continuing thereafter for such period of time necessary for the parties to verify and agree upon any adjustment to the 69:31 ratio.
- A second traffic study will be provided by Palmer for a 30-day period beginning April, 1 1997. Any changes in the ratio of Land-to-Mobile and Mobile-to-Land traffic will be handled on a going forward basis. Deviations will not be done on a retroactive basis.
- Reciprocal compensation at existing rates in Sprint's General Exchange Tariff will be retroactive to November 1, 1996, and through February 28, 1997. Such reciprocal compensation shall include a proration of all facilities used for both Mobile-to-Land and Land-to-Mobile interconnection with the exception of facilities used to connect Palmer's cell sites and Mobile Telephone Switching Office.
- Reciprocal compensation at rates consistent with the FCC's order in CC Docket 96-98 will commence on March 1, 1997. Such reciprocal compensation shall include a proration of all facilities used for both Mobile-to-Land and Land-to-Mobile interconnection with the exception of facilities used to connect Palmer's cell sites and Mobile Telephone Switching Office. See Exhibit 1 for the appropriate rates.
- Sprint reserves the right to perform annual audits on traffic studies performed by Palmer.
- Palmer will continue exercising the Reverse Toll Option with Sprint. This will be handled outside the interconnection agreement.

MAY-19-97 MON 09:46 AM SF VT FAX NO. 889 1274 P.04/05

Palmer Wireless
February 11, 1997
Page 2

- No reciprocal compensation will be paid for A-links. As part of this agreement, Sprint will charge Palmer for A-link connectivity to the Ft. Myers tandem and Sprint will provide the connection for the A-link between the Ft. Myers tandem and the Sprint STP at no charge to Palmer.
- Sprint will provide Palmer with records of toll traffic terminating through Sprint to the Palmer CMRS network. Palmer will bill the IXC applicable rate elements from the point of interface to the Palmer switch.
- Separate trunks for 911 interconnection into Sprint are required. Palmer acknowledges this fact and will retain existing 911 connectivity with Sprint until they are technically capable of providing a separate interconnection for 911 services. Sprint will work with Palmer to move toward separate interconnections for 911.
- Sprint's Interconnection Agreement will be edited to include Palmer specific language based on CMRS interconnection.
- The parties agree to negotiate in good faith a definitive interconnection agreement incorporating the terms of this Letter Agreement.
- The intermediary function for Mobile-to-Land traffic will be billed at the intermediary rate on Exhibit 1, until such time as Sprint's Billing and Recording System can bill the filed and approved rate elements. At such time, the intermediary charge shall consist of the tandem switching charge and where applicable, the transport rate elements.

This Letter Agreement shall be effective upon your counterpart signature below on behalf of Palmer. The term of this Letter Agreement shall expire on December 31, 1997, provided however, after such date this Letter Agreement shall remain in full force and effect on a month-to-month basis until such time as either party provides 30-day prior written notice to the other party of their desire to terminate this Letter Agreement.

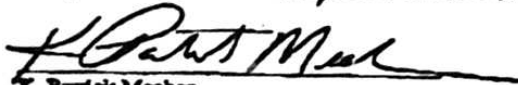
Please sign below to indicate your acceptance and approval of the rates, terms and conditions incorporated herein.

Sincerely,



Brooks Albery

Accepted and agreed to this 14 day of February, 1997



K. Patrick Mochan
Palmer Wireless

MAY-19-97 MON 09:47 AM SPRINT

FAX NO. 889 1274

P.05/05

Palmer Wireless
February 11, 1997
Page 3

Exhibit 1: Composite Rates

- Sprint will utilize a composite billing rate for Palmer Wireless, Inc. Mobile-to-Land traffic terminating on Sprint-Florida's (Sprint) network until such time as Sprint's billing and recording systems can bill the filed and approved interconnection rate elements.

| Rate Element ¹ | Composite Rate: per Minute of Use (MOU) |
|---|---|
| Mobile-to-Land - Tandem ² | .005988 |
| Mobile-to-Land - End Office ³ | .002983 |
| Land-to-Mobile ⁴ | .003610 |
| Tandem Switch (Intermediary) Mobile to Land | .002750 |

- ¹ The rates are subject to final approval by the Florida Public Service Commission.
- ² The composite rate for Mobile-to-Land traffic handed off at the Sprint tandem and terminated behind a Sprint end office consists of Band 2 of Sprint's End Office Termination, Tandem Switching and Transport rates.
- ³ The composite rate for Mobile-to-Land traffic handed off at a Sprint end office and terminated to a Sprint customer within that end office consists of Band 2 of Sprint's End Office Termination rates.
- ⁴ The rate for Land-to-Mobile traffic consists of a statewide average of Sprint's End Office Termination rates.