

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Notice by BellSouth Telecommunications, Inc. of adoption by FreedomTel, Inc. of existing interconnection, unbundling, and resale agreement between BellSouth and MCImetro Access Transmission Services, Inc.

DOCKET NO. 991507-TP
ORDER NO. PSC-99-2218-FOF-TP
ISSUED: November 10, 1999

ORDER APPROVING ADOPTION OF INTERCONNECTION,
UNBUNDLING, AND RESALE AGREEMENT AND APPROVED AMENDMENTS

BY THE COMMISSION:

By letter dated October 6, 1999, BellSouth Telecommunications, Inc. (BellSouth) and FreedomTel, Inc. (FreedomTel) filed a notice of adoption in its entirety of the interconnection, unbundling, and resale agreement, except for Attachment V, and any amendments to this agreement entered into and between BellSouth and MCImetro Access Transmission Services, Inc., pursuant to 47 U.S.C. §252(i) of the Telecommunications Act of 1996 (the Act). This agreement was approved by the Commission by Order No. PSC-97-0732-FOF-TP, issued on June 23, 1997, and is incorporated by reference herein. A copy of the agreement and the approved amendments may be obtained from the official docket file 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(i) requires that a local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved by the state commission to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement in its entirety. Further, 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 adoption of this agreement shall be effective on the date of issuance of this Order and will expire on the date specified in

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the agreement or the approved amendments. This agreement 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 adoption, we find that it complies with the Act; thus, we hereby approve it. We note that we hereby approve the adoption of the amendments to the agreement that we have approved as of September 23, 1999. BellSouth and FreedomTel shall file with the Commission a copy of all amendments to this agreement approved after September 23, 1999 and shall also cross reference this docket in their future filings.


Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. and FreedomTel, Inc.'s adoption in its entirety of BellSouth Telecommunications, Inc. and MCI Metro Access Transmission Services, Inc.'s interconnection, unbundling, and resale agreement, except for Attachment V, and all amendments to this agreement, approved by this Commission as of September 23, 1999, and incorporated by reference in this Order, is hereby approved. A copy of the agreement and the approved amendments may be obtained as specified in the body of this Order. It is further

ORDERED that any amendments to this agreement, approved by the Commission after September 23, 1999, must be filed with the Commission cross referencing this docket. It is further

ORDERED that this docket is hereby closed.

By ORDER of the Florida Public Service Commission, this 10th day of November, 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).