

BellSouth Telecommunications, Inc 850 224-7798  
Suite 400 Fax 850 224-5073  
150 South Monroe Street  
Tallahassee, Florida 32301-1556

Marshall M. Criser III  
Regulatory Vice President

September 21, 2000

Mrs. Blanca S. Bayo  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

001442-TP

Re: Approval of the Physical Collocation Agreement by BellSouth Telecommunications, Inc. ("BellSouth") and DIECA Communications, Inc. d/b/a Covad Communications Company pursuant to Sections 251, 252 and 271 of the Telecommunications Act of 1996

Dear Mrs. Bayo:

Pursuant to section 252(e) of the Telecommunications Act of 1996, BellSouth and DIECA Communications, Inc. d/b/a Covad Communications Company are submitting to the Florida Public Service Commission their negotiated agreement for the physical collocation of their networks, the unbundling of specific network elements offered by BellSouth and the physical collocation of BellSouth telecommunications services to DIECA Communications, Inc. d/b/a Covad Communications Company. The agreement was negotiated pursuant to sections 251, 252 and 271 of the Act.

Pursuant to section 252(e) of the Act, the Commission is charged with approving or rejecting the negotiated agreement between BellSouth and DIECA Communications, Inc. d/b/a Covad Communications Company within 90 days of its submission. The Commission may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity. Both parties represent that neither of these reasons exists as to the agreement they have negotiated and that the Commission should approve their agreement.

Very truly yours,



Regulatory Vice President *(MC)*

DOCUMENT NUMBER-DATE

11921 SEP 21 8

FPSC-RECORDS/REPORTING

**ATTACHMENT TO TRANSMITTAL LETTER**

The Agreement entered into by and between DIECA Communications, Inc. d/b/a Covad Communications Company and BellSouth Telecommunications, Inc., dated 05/19/2000, for the state(s) of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee consists of the following:

ITEM	NO. PAGES
Adoption Papers	2
TOTAL	2

08/24/00

**AGREEMENT**

This Agreement, which shall become effective as of the \_\_\_\_ day of May, 2000, is entered into by and between DIECA Communications, Inc. d/b/a Covad Communications Company, ("Covad"), a corporation, on behalf of itself, and BellSouth Telecommunications, Inc., ("BellSouth"), a Georgia corporation, having an office at 875 W. Peachtree Street, Atlanta, Georgia, 30375, on behalf of itself and its successors and assigns.

**WHEREAS**, the Telecommunications Act of 1996 (the "Act") was signed into law on February 8, 1996; and

**WHEREAS**, section 252(l) of the Act requires BellSouth to make available any interconnection, service, or network element provided under an agreement approved by the appropriate state regulatory body to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement; and

**WHEREAS**, Covad has requested that BellSouth make available Attachment 4 – Physical Collocation of the interconnection agreement executed between BellSouth and IConnect Corporation ("IConnect") dated November 18, 1999 for the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

**NOW, THEREFORE**, in consideration of the promises and mutual covenants of this Agreement, Covad and BellSouth hereby agree as follows:

1. Attachment 4 – Physical Collocation of the Interconnection Connection Agreement, and all amendments to said agreement, dated December 1, 1998 between BellSouth and Covad will be deleted in its entirety.

2. Covad and BellSouth shall adopt Attachment 4 – Physical Collocation of the BellSouth/IConnect Interconnection Agreement dated November 18, 1999 and any and all amendments to said agreement executed and approved by the appropriate state regulatory commission as of the date of the execution of this Agreement. The IConnect/BellSouth Interconnection Agreement and all amendments are attached hereto as Exhibit 1 and incorporated herein by this reference. The adoption of this agreement with amendment(s) consists of the following:

ITEM	NO. PAGES
Adoption Papers	2
Exhibit 1 – Cover	1
Exhibit 1 – Attachment 4	21

10/09/98

Exhibit 1 - Amendment dated 1/3/00	3
Exhibit 1 - Amendment dated 3/17/00	4
TOTAL	31

3. The term of this Agreement shall be from the effective date as set forth above and shall expire as set forth in Section 3, General Terms and Conditions of the iConnect Interconnection Agreement. For the purposes of determining the expiration date of this Agreement pursuant to Section 3, General Terms and Conditions of the iConnect Interconnection Agreement, the effective date shall be December 1, 1998.

4. The parties recognize that the FCC has issued a ruling regarding physical collocation and agree to continue to negotiate for new rates, terms and conditions for physical collocation.

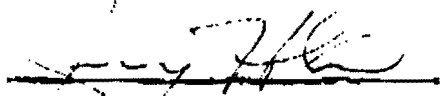
5. The Parties agree that all of the other provisions of the Agreement between Covad and BellSouth, dated December 1, 1998, together with all amendments in effect as of the date of execution of this Amendment shall remain in full force and effect.

6. The Parties agree that either or both of the Parties is authorized to submit this Amendment to the Public Service Commission or other regulatory body having jurisdiction over the subject matter of this Amendment, for approval subject to Section 252(e) of the federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties have executed this Agreement through their authorized representatives.

BellSouth Telecommunications, Inc.

DIECA Communications, Inc. d/b/a  
Covad Communication Company

  
\_\_\_\_\_

  
\_\_\_\_\_

Signature  
Jerry D. Hendrix

Signature  
DHURV KHANNA

Name  
Sr. Director

Name  
EVP - GC

Title  
5/19/00

Title  
5/19/00

Date

Date

STATE OF FLORIDA

Commissioners:  
J. TERRY DEASON, CHAIRMAN  
E. LEON JACOBS, JR.  
LILA A. JABER  
BRAULIO L. BAEZ



DIVISION OF RECORDS & REPORTING  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770

## Public Service Commission

September 27, 2000

Marshall M. Criser, III  
Regulatory Vice President  
BellSouth Telecommunications, Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, Florida 32301-1556

Re: Docket No. 001442-TP

Dear Mr. Criser:

This will acknowledge receipt of a request by BellSouth Telecommunications, Inc. for approval of interconnection, unbundling and collocation agreement with DIECA Communications, Inc., d/b/a Covad Communications, Inc., which was filed in this office on September 21, 2000 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Division of Records and Reporting  
Florida Public Service Commission