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January 24, 2001

VIA HAND DELIVERY

Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Petition of BellSouth Telecommunications, Inc. for a Section 252(b)
Arbitration of Interconnection Agreement with Intermedia
Communications Inc., Docket No. 991854

Dear Ms. Bayó:

On October 4, 2000, Intermedia Communications Inc. ("Intermedia") and BellSouth Telecommunications, Inc. ("BellSouth") filed their interconnection agreement ("Intermedia-BellSouth Interconnection Agreement") in this docket pursuant to this Commission's Order on Arbitration, Order No. PSC-00-1519-FOF-TP (issued August 22, 2000), and Order Granting Joint Motion for Extension of Time, Order No. PSC-00-1836-PCO-TP (issued October 6, 2000). That interconnection agreement includes, among other things, a provision which states:

The Parties have been unable to agree as to whether 'Voice-Over-Internet Protocol' transmissions ('VOIP') which cross LATA boundaries constitute Switched Access Traffic. Notwithstanding the foregoing, and without waiving any rights with respect to either Party's position as to the jurisdictional nature of VOIP, the Parties agree to abide by any effective and applicable FCC rules and orders regarding the nature of such traffic and the compensation payable by the Parties for such traffic, if any.¹

¹ Intermedia-BellSouth Interconnection Agreement, Attachment 3, Section 6.8.1.

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The interconnection agreement became effective by operation of law on or about November 3, 2000.² Because the interconnection agreement is now in effect, the portion of the Commission's Order on Arbitration dealing with "IP Telephony" or "VoIP" is a nullity. Accordingly, Intermedia respectfully withdraws the issue relating to "IP Telephony" or "VoIP" from further reconsideration.³

Very truly yours,



Richard D. Melson
Counsel for Intermedia Communications Inc.

cc: Parties of Record
Tim Vaccaro
Scott Sapperstein
J. Carl Jackson, Jr.
Enrico C. Soriano
Jonathan E. Canis
Ronald Jarvis

Attachment (Service List)

² See 47 U.S.C. § 252(e)(4) (interconnection agreements adopted by arbitration are deemed approved if the state commission does not act within 30 days after submission by the parties).

³ Intermedia's withdrawal of this issue from further reconsideration is premised and contingent upon a Commission finding that the portion of the Commission's Order on Arbitration dealing with "IP Telephony" or "VoIP" is rendered null by virtue of the interconnection agreement becoming effective. Intermedia reserves the right to resubmit this issue for reconsideration in the event the Commission disagrees with the premise underlying its withdrawal.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by Hand Delivery or U.S.

Mail this 24th day of January, 2001, upon the following:

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