

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by AT&T
Communications of the Southern
States, Inc. for arbitration of
certain terms and conditions of
a proposed agreement with
BellSouth Telecommunications,
Inc. concerning interconnection
and resale under the
Telecommunications Act of 1996.

DOCKET NO. 960833-TP
ORDER NO. PSC-97-0724-FOF-TP
ISSUED: June 19, 1997

ORDER APPROVING AGREEMENT

BY THE COMMISSION:

On March 4, 1996, AT&T Communications of the Southern States, Inc., (AT&T) requested that BellSouth Telecommunications, Inc., (BellSouth) begin good faith negotiations under Section 251 of the Telecommunications Act of 1996. On July 17, 1996, AT&T filed a request with this Commission for arbitration under Section 252 of the Act. On August 9, 1996, the Commission issued Order No. PSC-96-1039-PCO-TP, consolidating the request for arbitration of MCI Telecommunications Corporation and MCI Metro Access Transmission Services, Inc., with the request of AT&T. On December 31, 1996, the Commission issued Order No. PSC-96-1579-FOF-TP, deciding the unresolved issues presented for arbitration and directing the parties to file an agreement memorializing and implementing those decisions within 30 days.

On January 15, 1997, BellSouth filed a Motion for Reconsideration of Order No. PSC-96-1579-FOF-TP. On January 27, 1997, AT&T filed a response. AT&T also filed a Cross Motion for Reconsideration. BellSouth responded to AT&T's Cross Motion on February 4, 1997. In Order No. PSC-97-0298-FOF-TP, issued March 21, 1997, the Commission addressed the motions for reconsideration.

The parties filed their arbitrated agreement with the Commission on January 30, 1997, and identified the sections where there were still disputes on the specific language. On March 19, 1997, the Commission issued Order No. PSC-97-0300-FOF-TP wherein it approved various sections of the agreement that the parties were

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able to agree on, rejected sections that were not arbitrated, and established language for sections that were arbitrated and still in dispute. In that Order the Commission specifically identified the exact language that was to be contained in the arbitrated agreement.

Although the Commission specifically identified all of the language that was to be included in the arbitration agreement, the parties still refused to sign the agreement due to a dispute about language proposed by BellSouth. On April 2, 1997, both parties filed separate versions of an agreement. After consideration of the filings, on May 27, 1997, the Commission issued Order No. PSC-97-0600-FOF-TP, approving AT&T's version, with modifications to a number of provisions identified therein as categories 1, 2, 3, and 4, as the final, binding arbitrated agreement between the parties.

In Order No. PSC-97-0600-FOF-TP, the Commission stated that:

Upon consideration therefore we find that the parties shall include our decisions in this Order in a signed agreement, incorporating the exact language identified herein, within 14 days of the issuance of this Order. If a signed agreement is not submitted, we will immediately issue an Order to Show Cause against the non-signing party to show in writing why it should not be fined \$25,000 per day for willful refusal to comply with our Order pursuant to Section 364.285, Florida Statutes.

If the signed agreement is timely submitted and comports with our Orders in this docket, an administrative Order shall be issued acknowledging that a signed agreement has been filed. Further, if the signed agreement comports with our Orders, the agreement shall be deemed approved on the date the administrative Order is issued.

On June 10, 1997, the parties filed a signed agreement. The agreement as filed comports with the Commission's orders in this docket. Accordingly, the agreement is approved as of the date this Order is issued.

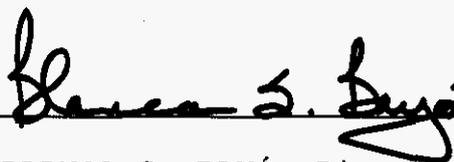
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Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the Agreement between BellSouth Telecommunications, Inc., and AT&T Communications of the Southern States, Inc., filed on June 10, 1997, is approved and effective as of the issuance date of this Order. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 19th day of June, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CJP

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 judicial review in Federal district court pursuant to the Federal Telecommunications Act of 1996, 47 U.S.C. § 252(e)(6).