

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Metropolitan Fiber Systems of Florida, Inc. for arbitration of certain terms and conditions of a proposed agreement with Central Telephone Company of Florida and United Telephone Company of Florida concerning interconnection and resale under the Telecommunications Act of 1996.

DOCKET NO. 960838-TP  
ORDER NO. PSC-97-0866-FOF-TP  
ISSUED: July 18, 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 SUPPLEMENTAL ADDENDUM TO  
INTERCONNECTION AGREEMENT

BY THE COMMISSION:

On November 7, 1996, MFS Communications Company, Inc. (MFS) and United Telephone Company of Florida (Sprint) filed a request for approval of a partial interconnection agreement (Docket No. 961333-TP). The partial agreement was a two-year agreement governing the relationship between the companies regarding interconnection, local and toll call termination, number portability, unbundling, access to 911/E911 services, and white page directory listings and directory distribution. On February 28, 1997, we issued Order No. PSC-97-0240-FOF-TP approving the partial interconnection agreement.

The parties were not able to reach agreement in the partial interconnection agreement on the following matters: Compensation for Call Termination; Unbundled Loop Prices (Interim); Cross Connect Rates; and, Information Services Traffic. We arbitrated those issues in Docket No. 960838-TP, Order No. PSC-96-1532-FOF-TP, issued December 16, 1996.

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On December 31, 1996, MFS filed a motion for reconsideration of our arbitration order, which we denied in Order No. PSC-97-0274-FOF-TP, issued March 11, 1997.

On April 10, 1997, the parties filed a supplemental addendum to the partial interconnection agreement approved in February, 1997, that incorporates the areas that were addressed in the arbitration proceeding. The supplemental addendum is attached to this order as Attachment 1. It incorporates language addressing the four areas mentioned above that we resolved in the parties' arbitration proceeding.

We have reviewed the MFS and Sprint supplemental addendum to the interconnection agreement approved in Docket No. 961333-TP for compliance with the Act. Upon consideration, as explained below, we find that it comports with the Act and we approve it. MFS and Sprint must file any subsequent supplements or modifications to their agreement for Commission review under the provisions of 47 U.S.C. § 252(e).

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the supplemental addendum to the partial interconnection agreement of MFS Communications Company, Inc. and Central Telephone Company of Florida and United Telephone Company of Florida is incorporated by reference in this Order and approved. It is further

ORDERED that this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 18th day of July, 1997.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

  
by: Kay Flynn  
Chief, Bureau of Records

( S E A L )  
MCB

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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).

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ATTACHMENT 1  
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**SUPPLEMENTAL ADDENDUM**

This Supplemental Addendum ("Addendum") is entered into and effective as of this 10th day of April, 1997, to reflect and incorporate the conclusions contained in the Florida Public Service Commission's Order No. PSC 96-1532-FOF-TP, dated December 16, 1996, ("December Order"), as subsequently affirmed in the Commission's Order No. PSC 97-0274-FOF-TP, dated March 11, 1997, to the negotiated Partial Interconnection Agreement for LATA 458, dated September 19, 1996, by and between United Telephone Company of Florida and MFS Communications Company, Inc. ("Agreement").

**Section I: Compensation for Call Termination**

Pursuant to the December Order, as affirmed by the March Order, United may charge MFS a transport element for MFS traffic terminated by United via a United Tandem switch, to account for the transport between the United Tandem and End Office. Given that the Commission did not determine a transport rate in either the December Order or the March Order, the Parties agree for this sole element to employ on an interim basis the transport element rate of \$0.000255/mou determined by the Commission in its Order No. PSC-97-0294-FOF-TP, dated March 14, 1997, in the MCI Arbitration case. The transport element rate of \$0.000255 shall remain in effect until the Commission adopts a permanent rate as contemplated by the Agreement and the December Order.

**Section II: Unbundled Loop Prices (Interim)**

Pursuant to the December Order, as affirmed by the March Order, the interim loop rates identified in the Agreement shall apply on a non-geographically deaveraged basis. For purposes of convenience only, the interim rates by loop type are listed below:

Analog 2W	\$13.68
BRI-ISDN	\$13.68
ADSL 2W	\$13.68
HDSL 2W	\$13.68
Analog 4W	\$23.94
HDSL 4W	\$23.94

**Section III: Cross Connect Rates**

The following cross connect rates adopted by the Commission in the December Order shall apply:

DS-0	\$ 0.68
DS-1	\$ 3.18
DS-3	\$16.75

**Section IV: Information Services Traffic**

For the purposes of rating of end user calls to Information Service Providers ("ISP"), the Parties agree that each will provide the other, upon request, rating information for ISP calls. The requesting party will then bill its end user for the ISP call. Neither party may deduct or retain for itself any portion of the amounts due an ISP unless that party has a written, properly executed contractual agreement with said ISP specifying the appropriate charge to be deducted or retained. To the extent that the providing party incurs any additional costs as a result of providing such ISP call rating information to the requesting party, nothing in this paragraph shall preclude the providing party from recovering those costs through incremental charges to the requesting party.

DOCUMENT NUMBER-DATE

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IN WITNESS WHEREOF, the Parties hereto have caused this Supplemental Addendum to be executed  
as of this 10th day of April, 1997.

MFS Communications Company, Inc.

United Telephone Company of Florida

By: *Alex J. Harris*  
Printed: Alex J. Harris  
Title: Vice President

By: *Jerry Johns*  
Printed: Jerry Johns  
Title: VP - Int'l External Relations