

MEMORANDUM

April 19, 1999

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (MILLER)
RE: DOCKET NO. 990198-TP - PETITION
INCORPORATED FOR APPROVAL OF RESALE P
L ENTERPRISES, INC. D/B/A HART COMMU

Attached is an ORDER APPROVING RESALE AGRE
in the above-referenced docket. (Number of p

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Attachment
cc: Division of Communications
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Sprint-
Florida, Incorporated for
approval of resale agreement
with HTR & L Enterprises, Inc.
d/b/a Hart Communications.

DOCKET NO. 990198-TP
ORDER NO. PSC-99-0784-FOF-TP
ISSUED: April 21, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

ORDER APPROVING RESALE AGREEMENT

BY THE COMMISSION:

On February 22, 1999, Sprint-Florida, Incorporated (Sprint-Florida) and HTR & L Enterprises, Inc. d/b/a Hart Communications (Hart Communications) filed a request for approval of a resale agreement pursuant to 47 U.S.C. § 252(e) of the Telecommunications Act of 1996 (the Act). The agreement is incorporated by reference herein. A copy of the agreement 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(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved.

This agreement covers a two-year period and governs the relationship between the companies regarding the resale of tariffed telecommunication services. Under 47 U.S.C. § 252(a)(1), the

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agreement shall include a detailed schedule of interconnection and each service or network element agreement. The agreement states that telecommunications provided by Sprint-Florida for resale will be purchased by Hart Communications at varied discounts.

Upon review of the proposed agreement, the Commission finds that it complies with the Telecommunications Act of 1996 and approves it. Sprint-Florida and Hart Communications are directed to file any supplements or modifications to their agreement for review under the provisions of 47 U.S.C.


Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the resale agreement between Sprint-Florida, Inc. and Hart Communications, Inc. d/b/a Hart Communications, Inc. referenced in this Order, and is hereby approved. A copy of the agreement may be obtained as specified in this Order. It is further

ORDERED that any supplements or modifications to the agreement must be filed with the Commission within 30 days of the provisions of 47 U.S.C. § 252(e). It is further

ORDERED that this docket shall be closed.

BY ORDER of the Florida Public Service Commission
day of April, 1999.


BLANCA S. BAYO
Division of Regulation

(S E A L)

JAM

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL

The Florida Public Service Commission is 120.569(1), Florida Statutes, to notify administrative hearing or judicial review of Commission is available under Sections 120.57 or 120.68, as well as the procedures and time limits that should not be construed to mean all requests for hearing or judicial review will be granted or refused as sought.

Any party adversely affected by the Commission in this matter may request: 1) reconsideration by filing a motion for reconsideration with the Director of Records and Reporting, 2540 Shumard Oak Boulevard, Florida 32399-0850, within fifteen (15) days of this order in the form prescribed by Rule 21.001, Florida Administrative Code; or 2) judicial review in a court pursuant to the Federal Telecommunications Act, U.S.C. § 252(e)(6).