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Legal Department

NANCY B. WHITE
General Counsel-Florida

JUN 28 PM 4:33

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

RECORDS AND
REPORTING

June 28, 1999

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

Re: Docket No. 990750-TP – Petition by ITC^DeltaCom Communications, Inc. (“ITC^DeltaCom”) for Arbitration of Interconnection Agreement with BellSouth Telecommunications, Inc. (“BellSouth”)

Dear Ms. Bayó:

BellSouth has received a copy of ITC^DeltaCom’s letter to you dated June 24, 1999, regarding ITC^DeltaCom’s consent to waiver of the statutory time frame set forth in Section 252(b)(4)(C) of the Telecommunications Act of 1996 with respect to the above-referenced docket. This letter is to notify the Florida Public Service Commission that BellSouth also consents to the Commission Staff’s requested waiver and to resolution of the Arbitration outside of such statutory time frame.

Although BellSouth consents to the extension of time for the Commission to render a decision in this Arbitration, it is BellSouth’s position that ITC^DeltaCom’s request for an extension of the current Interconnection Agreement is unnecessary and BellSouth is opposed to any amendment to such effect. Section XVII(C) of the current Interconnection Agreement between the parties clearly provides that upon expiration of the agreement (i.e., June 30, 1999), the parties will continue to operate in accordance with the terms of such agreement until such time as a new interconnection agreement becomes effective. When the new interconnection agreement becomes effective, the terms of the new agreement shall be applied retroactively to the date of expiration of the prior agreement. It appears that ITC^DeltaCom’s request to extend the expiration date of the current agreement is merely an attempt to avoid application of the terms and conditions of the new agreement to the period between June 30, 1999, and the date the new agreement becomes effective. Since the current Interconnection Agreement between the parties

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clearly addresses the circumstances about which ITC^DeltaCom is concerned, no extension of the term of the current Interconnection Agreement is needed.

I trust that the above information is satisfactory. However, should the Commission or the Staff have any questions at all please do not hesitate to contact me.

With kindest regards, I remain

Sincerely yours,

Nancy B. White (KR)
Nancy B. White

cc: Mr. Walter D'Haeseleer
Staff Counsel, Florida Public Service Commission
David I. Adelman, Esq.
Charles B. Jones, III, Esq.
J. Michael Huey, Esq.
J. Andrew Bertron, Jr.
Nanette S. Edwards, Esq.

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