

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for arbitration ) DOCKET NO. 970336-TP  
of certain terms and conditions ) ORDER NO. PSC-97-0589-FOF-TI  
of a proposed agreement between ) ISSUED: May 23, 1997  
ICG Telecom Group, Inc. and GTE )  
Florida Incorporated, pursuant )  
to Sections 251 and 252 of the )  
Telecommunications Act of 1996. )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman  
SUSAN F. CLARK  
J. TERRY DEASON  
JOE GARCIA  
DIANE K. KIESLING

ORDER ACKNOWLEDGING WITHDRAWAL OF PETITION

BY THE COMMISSION:

On October 10, 1996, ICG Telecom Group, Inc. (ICG) and GTE Florida, Incorporated (GTEFL) entered into negotiations regarding ICG's request for resale and interconnection arrangements with GTEFL. Initially, the parties were unable to resolve a number of issues. As such, on March 18, 1997, ICG filed a petition for arbitration of the unresolved issues with GTEFL.

The parties, however, continued to negotiate in an effort to resolve the remaining issues. As a result, the parties reached an agreement whereby ICG will adopt an approved and effective interconnection agreement between GTEFL and another alternative local exchange company (ALEC), pursuant to § 252(i) of the Telecommunications Act of 1996 (the Act). The parties state that this agreement resolves the issues in ICG's request for arbitration. Thus, on April 14, 1997, ICG filed a Notice of Withdrawal of its petition for arbitration. Therein, ICG incorporated, by reference, the parties' agreement on the procedural issues and stated that the parties have stipulated that the agreement resolves the arbitration request.

With ICG's petition for arbitration withdrawn, there are no further issues for us to address. This docket shall, therefore, be closed. Pursuant to the provisions of 47 U.S.C. §§ 251(c)(1), 252(a)(2), 252(b)(5), or 252(i), the parties may bring to our

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attention any problems that may arise in the development of a final interconnection agreement. Once ICG's adoption of an interconnection agreement between GTEFL and another ALEC has been signed, the parties must submit the agreement for our review and approval pursuant to 47 U.S.C. §252(e).

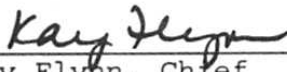
Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that ICG Telecom Group, Inc.'s Notice of Withdrawal of Petition for Arbitration is hereby acknowledged. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 23rd day of May, 1997.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

  
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Kay Flynn, Chief  
Bureau of Records

( S E A L )

BC

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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 by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.