

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Sprint Communications Company Limited Partnership and Sprint Spectrum Limited Partnership d/b/a Sprint PCS for arbitration of rates, terms and conditions of interconnection with BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast.	DOCKET NO. 070249-TP ORDER NO. PSC-08-0066-FOF-TP ISSUED: January 29, 2008
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The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

ORDER APPROVING AMENDMENT

BY THE COMMISSION:

I. Case Background

On October 16, 2007, we granted the request by Sprint Communications Company L.P. and Sprint Spectrum L.P. d/b/a Sprint PCS (Sprint) to file an Amended Petition (Petition) for resolution of a single issue in its Interconnection Agreement (ICA) with BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast (AT&T) under 47 U.S.C. Section 252 of the Telecommunications Act of 1996. (Order No. PSC-07-0834-PCO-TP)

On November 13, 2007, AT&T filed its Response and Motion to Dismiss Sprint's Petition. The Prehearing Officer approved Sprint's subsequent unopposed Motion for Extension of Time to Respond to AT&T's Motion to Dismiss by granting the extension until December 4, 2007. (Order No. PSC-07-0932-PCO-TP) On November 26, 2007, AT&T filed a letter stating that it had "clarified its position concerning the date from which interconnection agreements may be extended" and that its "clarified position may impact this Docket."

Sprint and AT&T filed a Joint Motion to Approve Amendment on December 4, 2007. This amendment is a product of negotiations between the parties and effectively eliminates the need to arbitrate the single issue identified in Sprint's Petition.

II. Analysis and Decision

Under the requirements of Section 252(e)(1) "[a]ny interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission." Section

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252(e)(2) provides that any portion of an agreement adopted by negotiation can only be rejected by a State commission if it discriminates against a company not a party to the agreement, or if the agreement is not in the public interest.

Our staff reviewed the Amendment and found that it met the requirements of Section 252 and the standards of review routinely used by this Commission for negotiated agreements and amendments. Therefore, we hereby approve the Amendment to the ICA between AT&T and Sprint.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission the Amendment to the interconnection agreement between AT&T and Sprint is hereby approved. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 29th day of January, 2008.



ANN COLE
Commission Clerk

(S E A L)

AJT

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.