



ORIGINAL  
Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

**DATE:** JULY 28, 1999  
**TO:** COMMISSIONER J. TERRY DEASON, PREHEARING OFFICER  
**FROM:** DIVISION OF LEGAL SERVICES (CLEMONS, KEATING) *DMC CB*  
**RE:** DOCKET NO. 990799-TP - PETITION BY US LEC OF FLORIDA, INC. TO ARBITRATE UNRESOLVED ISSUES IN NEGOTIATION OF AN INTERCONNECTION AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS, INC. PURSUANT TO 47 U.S.C. 252(B).

On June 21, 1999 US LEC of Florida, Inc. (US LEC) filed a Petition for Arbitration against BellSouth Telecommunications, Inc. (BellSouth), and the above referenced docket was established. In its Petition, US LEC alleges that the parties were attempting to negotiate an interconnection agreement, pursuant to 47 U.S.C. § 252(a)(1), that they had successfully resolved a large number of issues and had reached an agreement on the overall form, but that they were unable to reach agreement on several specific issues for which it was seeking arbitration.

On July 16, 1999, however, US LEC filed a Notice of Withdrawal of Petition for Arbitration, wherein it states that the parties have entered into an agreement whereby US LEC will adopt the entire BellSouth and Intermedia Communications, Inc. agreement, dated July 1, 1996. According to US LEC, that agreement expires at the end of 1999, and "[b]y that time, the Commission will have resolved many of the issues raised in US LEC's petition and the parties will have additional guidance concerning the Commission's positions.

Although the matter was set for hearing, no Order Establishing Procedure has been issued, and no other official action of the Commission has been taken.

Based on the foregoing, staff recommends that the Chairman:

- 1) Cancel the Prehearing Conference currently scheduled on October 18, 1999;
- 2) Cancel the Hearing scheduled on November 17-18, 1999.

Therefore, staff has prepared the attached memorandum to the Chairman for your review and signature. Please feel to contact either Donna Clemons at extension 3-6216 or Beth Keating at extension 3-6212 with any questions.

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 APP \_\_\_\_\_  
 CAP \_\_\_\_\_  
 CML \_\_\_\_\_  
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DMC/ac

cc: Division of Records and Reporting  
 Jackie Edwards

DOCUMENT NO.  
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 July 29