

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of ITC^DeltaCom Communications, Inc. against BellSouth Telecommunications, Inc. for breach of interconnection terms, and request for immediate relief.

DOCKET NO. 991946-TP  
ORDER NO. PSC-01-0492-FOF-TP  
ISSUED: February 27, 2001

The following Commissioners participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI

ORDER CLOSING DOCKET

BY THE COMMISSION:

On December 17, 1999 ITC^DeltaCom Communications, Inc. (DeltaCom) filed a request for arbitration concerning a complaint against BellSouth Telecommunications, Inc. (BellSouth). At that time, DeltaCom also filed a Motion to Consolidate its complaint proceeding with the Global NAPs (GNAPs) proceeding in Docket No. 991267-TP. On December 28, 1999 BellSouth filed its Response to DeltaCom's Motion to Consolidate the GNAPs and DeltaCom complaints. On January 11, 2000, BellSouth filed its Answer and Response to DeltaCom's Complaint. By Order No. PSC-00-0211-PCO-TP, issued February 2, 2000, DeltaCom's Motion to Consolidate GNAPs' and DeltaCom's complaints was denied. On May 18, 2000, Order 00-0979-PCO-TP establishing procedure was issued.

On May 15, 2000, DeltaCom filed a Motion to Continue Proceedings and a Motion for Summary Final Order. On May 22, 2000, BellSouth filed its Response in Opposition to DeltaCom's Motion for

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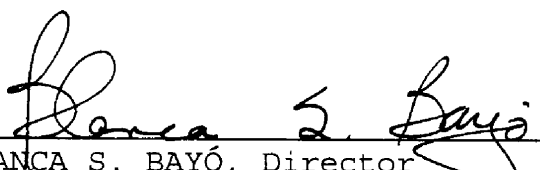
Summary Final Order and Response to DeltaCom's Motion to Continue Proceedings. By Order No. PSC-00-1177-PCO-TP, issued June 29, 2000, DeltaCom's Motion to Continue Proceedings was granted. On May 25, 2000, Delta Com filed a Supplemental Memorandum in Support of its Motion for Summary Final Order and on June 5, 2000, BellSouth filed its Response in Opposition to DeltaCom's Supplemental Memorandum in Support of its Motion for Summary Final Order. By Order No. PSC-00-1540-FOF-TP, issued August 24, 2000, DeltaCom's Motion for Summary Final Order was granted.

On September 8, 2000, BellSouth filed a Motion for Reconsideration of Order No. PSC-00-1540-FOF-TP. On September 20, 2000, DeltaCom filed its response to BellSouth's motion. On November 13, 2000, prior to any Commission action on the Motion for Reconsideration, DeltaCom filed a letter advising that BellSouth and DeltaCom had reached a settlement on DeltaCom's complaint. On January 17, 2001, BellSouth filed a Notice of Withdrawal of Motion for Reconsideration. There are no outstanding matters to be addressed in this docket.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 27th day of February, 2001.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

JAE

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.