

FLORIDA PUBLIC SERVICE COMMISSION

VOTE SHEET

APRIL 17, 2001

RE: DOCKET NO. 000828-TP - Petition of Sprint Communications Company Limited Partnership for arbitration of certain unresolved terms and conditions of a proposed renewal of current interconnection agreement with BellSouth Telecommunications, Inc.

ISSUE A: What is the Commission's jurisdiction in this matter?

RECOMMENDATION: Staff believes that the Commission has jurisdiction pursuant to Chapter 364, Florida Statutes, and Section 252 of the Federal Telecommunication Act of 1996 (Act) to arbitrate interconnection agreements, and may implement the processes and procedures necessary to do so in accordance with Section 120.80(13)(d), Florida Statutes. Section 252 states that a State Commission shall resolve each issue set forth in the petition and response, if any, by imposing the appropriate conditions as required. Further, staff believes that while Section 252(e) of the Act reserves the state's authority to impose additional conditions and terms in an arbitration not inconsistent with Act and its interpretation by the FCC and the courts, the Commission should use discretion in the exercise of such authority.

**APPROVED**

COMMISSIONERS ASSIGNED: Full Commission

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*Michael A. Palesti*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REMARKS/DISSENTING COMMENTS:

DOCUMENT NUMBER-DATE

04681 APR 17 01

FPSC-RECORDS/REPORTING

VOTE SHEET

APRIL 17, 2001

DOCKET NO. 000828-TP - Petition of Sprint Communications Company Limited Partnership for arbitration of certain unresolved terms and conditions of a proposed renewal of current interconnection agreement with BellSouth Telecommunications, Inc.

(Continued from previous page)

ISSUE B: Should the Commission grant BellSouth Telecommunications, Inc.'s Motion to Supplement Post-Hearing Brief and Second Motion for Leave to Supplement Post-Hearing Brief?

RECOMMENDATION: Yes. The Commission should grant BellSouth Telecommunications, Inc.'s Motion to Supplement Post-Hearing Brief and Second Motion for Leave to Supplement Post-Hearing Brief.

**APPROVED**

ISSUE 3: Should BellSouth make its Custom Calling features available for resale on a stand-alone basis?

RECOMMENDATION: Yes. BellSouth should be required to make its Custom Calling features available for resale to Sprint on a stand-alone basis. If BellSouth determines that it is not technically feasible to make its Custom Calling features available for resale on a stand-alone basis, BellSouth may petition the Commission to seek a waiver of this requirement of the forthcoming Order in this arbitration.

**APPROVED**

VOTE SHEET

APRIL 17, 2001

DOCKET NO. 000828-TP - Petition of Sprint Communications Company Limited Partnership for arbitration of certain unresolved terms and conditions of a proposed renewal of current interconnection agreement with BellSouth Telecommunications, Inc.

(Continued from previous page)

ISSUE 4: Pursuant to Federal Communications Commission ("FCC") Rule 51.315(b), should BellSouth be required to provide Sprint at TELRIC rates combinations of UNEs that BellSouth typically combines for its own retail customers, whether or not the specific UNEs have already been combined for the specific end-user customer in question at the time Sprint places its order?

RECOMMENDATION: No. BellSouth is not required to provide combinations of unbundled network elements that it ordinarily or typically combines in its network for Sprint at TELRIC rates. Pursuant to FCC Rule 51.315(b), BellSouth is required to make available at TELRIC rates only those combinations that are, in fact, already combined and physically connected in its network at the time a requesting carrier places an order.

**APPROVED**

ISSUE 6: Should BellSouth be required to universally provide access to EELs that it ordinarily and typically combines in its network at UNE rates?

RECOMMENDATION: No. BellSouth is not required to universally provide access to enhanced extended links ("EELs") that it ordinarily or typically combines in its network at UNE rates. Pursuant to FCC Order 99-238 and FCC Rule 51.315(b), BellSouth is required to provide access, at UNE rates, only to EELs that are, in fact, already combined and physically connected in its network at the time a requesting carrier places an order. In addition, BellSouth is required to combine EELs at cost-based rates in the geographic areas where BellSouth has elected to be exempted from providing access to unbundled local switching.

**APPROVED**

VOTE SHEET

APRIL 17, 2001

DOCKET NO. 000828-TP - Petition of Sprint Communications Company Limited Partnership for arbitration of certain unresolved terms and conditions of a proposed renewal of current interconnection agreement with BellSouth Telecommunications, Inc.

(Continued from previous page)

ISSUE 7: In situations where an ALEC's end-user customer is served via unbundled switching and is located in density zone 1 in one of the top fifty Metropolitan Statistical Areas ("MSAs") and who currently has three lines or less, adds additional lines, should BellSouth be able to charge market-based rates for all of the customer's lines?

RECOMMENDATION Yes. In accordance with the current status of the applicable rule, staff recommends that in situations where an ALEC's end-user customer is served via unbundled switching and is located in density zone 1 in one of the top fifty MSAs and currently has three lines or less, and adds additional lines, BellSouth should be able to charge market-based rates for all of the customer's lines, provided the customer has four or more lines after the addition.

**APPROVED**

ISSUE 8: Should BellSouth be able to designate the network Point of Interconnection ("POI") for delivery of BellSouth's local traffic?

RECOMMENDATION: No. Staff recommends that Sprint should be allowed to designate the network point (or points) of interconnection for both the delivery and receipt of BellSouth's local traffic subject to technical feasibility.

**APPROVED**

VOTE SHEET

APRIL 17, 2001

DOCKET NO. 000828-TP - Petition of Sprint Communications Company Limited Partnership for arbitration of certain unresolved terms and conditions of a proposed renewal of current interconnection agreement with BellSouth Telecommunications, Inc.

(Continued from previous page)

ISSUE 9: Should the parties' Agreement contain language providing Sprint with the ability to transport multi-jurisdictional traffic over a single trunk group, including an access trunk group?

RECOMMENDATION: Yes. The parties agree that transporting multi-jurisdictional traffic over a single trunk group, including an access trunk group, is technically feasible. The parties acknowledge that there may be costs associated with implementing this capability and have agreed to work together to identify an accurate estimate of the costs. Sprint has agreed to pay all reasonable development and implementation costs. Therefore, the parties' Agreement should contain language providing Sprint with the ability to transport multi-jurisdictional traffic over a single trunk group, including an access trunk group. For 00- traffic routed over access trunks, the appropriate compensation scheme should be preserved for each jurisdiction of traffic that is combined, i.e., local and intra/interLATA.

**APPROVED**

ISSUE 22: Should Sprint be required to pay the entire cost of make-ready work prior to BellSouth's satisfactory completion of the work?

RECOMMENDATION: BellSouth may require Sprint to pay the entire cost of make-ready work prior to BellSouth's satisfactory completion of the work.

**MODIFIED**

*Approved w/ modification to encourage the ILGC to be flexible in negotiating the terms of this issue.*

VOTE SHEET

APRIL 17, 2001

DOCKET NO. 000828-TP - Petition of Sprint Communications Company Limited Partnership for arbitration of certain unresolved terms and conditions of a proposed renewal of current interconnection agreement with BellSouth Telecommunications, Inc.

(Continued from previous page)

ISSUE 28A: Should BellSouth be required to provide Sprint with two-way trunks upon request?

RECOMMENDATION: Yes. Pursuant to FCC Rule 51.305(f), BellSouth should be required to provide two-way trunks to Sprint at Sprint's request. However, staff recommends that BellSouth should not be obligated to provide "SuperGroup" interconnection trunks.

**MODIFIED**

*Approved with exception that the order be neutral on SuperGroup interconnection - the order is not to address the issue. Additionally, the parties are encouraged to negotiate the terms of this issue.*

ISSUE 28B: Should BellSouth be required to use those two-way trunks for BellSouth originated traffic?

RECOMMENDATION: Yes. BellSouth should be required to use (put its originating traffic over) the two-way trunks it provisions for Sprint at Sprint's request.

**APPROVED**

VOTE SHEET

APRIL 17, 2001

DOCKET NO. 000828-TP - Petition of Sprint Communications Company Limited Partnership for arbitration of certain unresolved terms and conditions of a proposed renewal of current interconnection agreement with BellSouth Telecommunications, Inc.

(Continued from previous page)

ISSUE 29: Should BellSouth be allowed to designate a virtual point of interconnection in a BellSouth local calling area to which Sprint has assigned a Sprint NPA/NXX? If so, who pays for the transport and multiplexing, if any, between BellSouth's virtual point of interconnection and Sprint's point of interconnection?

RECOMMENDATION: No. Staff recommends that BellSouth should not be allowed to designate a virtual point of interconnection. However, staff recommends that for each exchange in which Sprint has a NPA/NXX "homed" and from which NPA/NXX it has assigned numbers, Sprint must designate at least one VPOI "within" a BellSouth local calling area that encompasses that exchange. Staff notes that Sprint is not required to designate multiple VPOIs "within" a local calling area, where Sprint has NPA/NXXs "homed" to multiple exchanges "within" a BellSouth local calling area. For rating purposes, staff recommends that BellSouth may require Sprint to pay TELRIC rates for Interoffice Dedicated Transport airline mileage between the Vertical and Horizontal (V&H) coordinates of Sprint's VPOI and Sprint's POI.

**APPROVED**

ISSUE 32: Upon denial of a Sprint request for physical collocation, what justification, if any, should BellSouth be required to provide to Sprint for space that BellSouth has reserved for itself or its affiliates at the requested premises?

RECOMMENDATION: BellSouth should not be required to provide to Sprint any additional justifications regarding space reservation beyond those detailed in Commission Order No. PSC-99-1744-PAA-TP.

**APPROVED**

VOTE SHEET

APRIL 17, 2001

DOCKET NO. 000828-TP - Petition of Sprint Communications Company Limited Partnership for arbitration of certain unresolved terms and conditions of a proposed renewal of current interconnection agreement with BellSouth Telecommunications, Inc.

(Continued from previous page)

ISSUE 33: Should this docket be closed?

RECOMMENDATION: No. The parties should be required to submit a signed agreement that complies with the Commission's decisions in this docket for approval within 30 days of issuance of the Commission's Order. This docket should remain open pending Commission approval of the final arbitration agreement in accordance with Section 252 of the Telecommunications Act of 1996.

**APPROVED**