

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for temporary
waiver of physical collocation
in the Perdido Bay Central
Office by BellSouth
Telecommunications, Inc.

DOCKET NO. 000779-TL
ORDER NO. PSC-02-0123-FOF-TL
ISSUED: January 28, 2002

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

ORDER VACATING ORDER NO. PSC-00-1651-FOF-TL, IN PART

BY THE COMMISSION:

Pursuant to Order Nos. PSC-99-1744-PAA-TP and PSC-99-2393-FOF-TP, BellSouth filed a Notice of Intent to Request Temporary Waiver of Physical Collocation Requirements in the Perdido Bay Central Office on June 27, 2000. On July 10, 2000, BellSouth and our staff conducted a tour of this central office.

BellSouth filed its Petition for Temporary Waiver of Physical Collocation Requirements in the Perdido Bay Central Office on July 18, 2000. In accordance with the above-mentioned Orders, BellSouth timely filed its Post-Tour Report for this central office on July 26, 2000. On September 18, 2000, we issued Order No. PSC-00-1651-FOF-TL, granting BellSouth a Temporary Waiver of Physical Collocation Requirements in the Perdido Bay central office until December 31, 2002, or until the construction of the building addition is completed.

On October 29, 2001, BellSouth filed a Notice of Withdrawal of its Petition for Temporary Waiver of Physical Collocation in the Perdido Bay Central Office. In its Notice, BellSouth states that it is withdrawing its petition because all alternative local exchange companies on the waiting list have either been served or

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ORDER NO. PSC-02-0123-FOF-TL
DOCKET NO. 000779-TL
PAGE 2

no longer desire space in the Perdido Bay central office. Therefore, we find that Order No. PSC-00-1651-FOF-TL, be vacated in part, in regards to the time which remains in BellSouth's temporary waiver of physical collocation requirements in the Perdido Bay central office. The waiver shall terminate upon issuance of this Order.

The Commission is vested with jurisdiction in this matter pursuant to Section 251 of the Telecommunications Act of 1996.

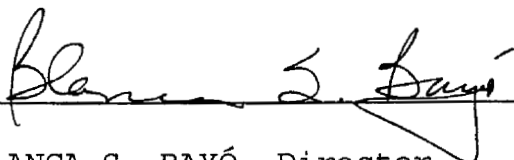
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. PSC-00-1651-FOF-TL, is vacated in part as set forth in the body of this Order. It is further

ORDERED that BellSouth Telecommunications, Inc.'s Temporary Waiver of Physical Collocation in the Perdido Bay Central office is hereby terminated. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 28th day of January, 2002.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

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ORDER NO. PSC-02-0123-FOF-TL
DOCKET NO. 000779-TL
PAGE 3

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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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.