

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Bellsouth Telecommunications, Inc., for approval of amendment to resale agreement with Telephone Company of Central Florida, Inc., pursuant to Section 252 of the Telecommunications Act of 1996.

DOCKET NO. 971566-TP
ORDER NO. PSC-98-0179-FOF-TP
ISSUED: January 29, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS
JOE GARCIA

ORDER APPROVING AMENDMENT TO EXISTING RESELL AGREEMENT

BY THE COMMISSION:

On October 8, 1996, BellSouth Telecommunications, Inc., (BST) and Telephone Company of Central Florida, Inc., (TCCF) filed a request for approval of a resale agreement under the Telecommunications Act of 1996, 47 U.S.C. §252(e) of the Telecommunications Act of 1996 (the Act). The agreement is attached to this Order as Attachment A and incorporated by reference herein.

Both the Act and Chapter 364, Florida Statutes, encourage parties to enter into negotiated agreements to bring about local exchange competition as quickly as possible. Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved.

This agreement covers a 2-year period and governs the relationship between the companies regarding the resale of tariffed telecommunication services. Under 47 U.S.C. § 252(a)(1), the agreement shall include a detailed schedule of itemized charges for

DOCUMENT NUMBER-DATE

01549 JAN 29 98

FPSC-RECORDS/REPORTING

ORDER NO. PSC-98-0179-FOF-TP
DOCKET NO. 971566-TP
PAGE 2

interconnection and each service or network element included in the agreement. The agreement states that telecommunications services provided by BST for resale will be available for purchase by TCCF at a discount rate of 21.83% for residential services and 16.81% for business services.

Upon review of the proposed agreement, we find that it complies with the Telecommunications Act of 1996; thus, we hereby approve it. BST and TCCF must file any supplements or modifications to their agreement with the Commission for review under the provisions of 47 U.S.C. § 252(e).


Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the amendment to the existing resale agreement between BellSouth Telecommunications, Inc., and Telephone Company of Central Florida, Inc., as set forth in Attachment A and incorporated by reference in this Order, is hereby approved. It is further

ORDERED that any supplements or modifications to this agreement must be filed with the Commission for review under the provisions of 47 U.S.C. § 252(e). It is further

ORDERED that this docket shall be closed.

BY ORDER of the Florida Public Service Commission this 29th day of January, 1998.



BLANCA S. BAYO, Director
Division of Records and Reporting

(S E A L)

CF

ORDER NO. PSC-98-0179-FOF-TP
DOCKET NO. 971566-TP
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 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 in Federal district court pursuant to the Federal Telecommunications Act of 1996, 47 U.S.C. § 252(e)(6).