

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of  
Second amendment to  
interconnection, unbundling, and  
resale agreement between  
BellSouth Telecommunications,  
Inc. and BellSouth Cellular  
Corp., pursuant to Sections 251,  
252, and 271 of the  
Telecommunications Act of 1996.

DOCKET NO. 971535-TP  
ORDER NO. PSC-98-0243-FOF-TP  
ISSUED: February 6, 1998

The following Commissioners participated in the disposition of  
this matter:

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

ORDER APPROVING SECOND AMENDMENT TO RESALE,  
INTERCONNECTION, AND UNBUNDLING AGREEMENT BETWEEN BELL SOUTH  
TELECOMMUNICATIONS, INC. AND BELL SOUTH CELLULAR  
CORP. AND CLOSING DOCKET

BY THE COMMISSION:

On November 20, 1997, BellSouth Telecommunications, Inc. (BellSouth) and BellSouth Cellular Corp. (BCC) filed a request for approval of the second amendment to a resale, interconnection, and unbundling agreement under the Telecommunications Act of 1996, 47 U.S.C. § 252(e) of the Telecommunications Act of 1996 (the Act). The original agreement was approved by Order No. PSC-97-0694-FOF-TP issued on June 12, 1997, in Docket No. 970286-TP. The amendment 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)

DOCUMENT NUMBER-DATE

01941 FEB-68

FPSC-RECORDS/REPORTING

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requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved.

The original agreement and the second amendment discussed herein cover a one-year period and govern the relationship between the companies regarding local interconnection and the exchange of traffic pursuant to 47 U.S.C. § 251. Under 47 U.S.C. § 252(a)(1), the agreement shall include a detailed schedule of itemized charges for interconnection and each service or network element included in the agreement.

Upon review of the proposed second amendment, we find that it complies with the Telecommunications Act of 1996; thus, we hereby approve it. BellSouth and BCC shall file any subsequent supplements or modifications to their agreement with the Commission for review under the provisions of 47 U.S.C. § 252(e). Our approval of this amendment does not constitute a determination that BellSouth has met the requirements of Section 271 of the Telecommunications Act. Further, we note that BCC does not currently hold a Florida certificate to provide alternative local exchange telecommunications service, and therefore, it cannot provide land-line services under this agreement until it obtains a certificate.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the second amendment to the resale, interconnection, and unbundling agreement between BellSouth Telecommunications, Inc. and BellSouth Cellular Corp., as set forth in Attachment A and incorporated by reference in this Order, is hereby approved. It is further

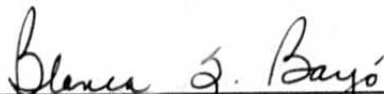
ORDERED that any subsequent supplements or modifications to this agreement must be filed with the Commission for review under the provisions of 47 U.S.C. § 252(e). It is further

ORDERED that BellSouth Cellular Corp. shall not provide land-line services under this agreement until it obtains a certificate from this Commission. It is further

ORDERED that this docket shall be closed.

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By ORDER of the Florida Public Service Commission this 6th  
day of February, 1998.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

ALC

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).

ORIGINAL

SECOND AMENDMENT

TO

INTERCONNECTION AGREEMENT BETWEEN  
BELLSOUTH CELLULAR CORP. AND BELLSOUTH TELECOMMUNICATIONS, INC.  
EFFECTIVE  
JANUARY 1, 1997

Pursuant to this Agreement (the "Amendment"), BellSouth Cellular Corp. and BellSouth Telecommunications, Inc. , hereinafter referred to collectively as the "Parties", hereby agree to amend that certain Interconnection Agreement between the Parties effective January 1, 1997 ("Interconnection Agreement").

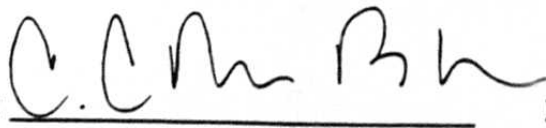
NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, BellSouth Cellular Corp. and BellSouth Telecommunications, Inc. hereby covenant and agree as follows:

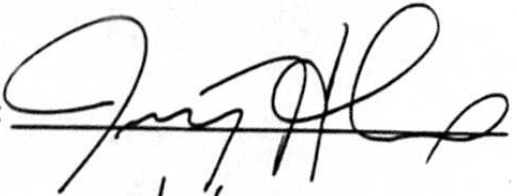
1. The Parties agree that Attachment A to the Interconnection Agreement is hereby deleted and replaced with Attachment A to this Amendment, which is incorporated herein by reference.
2. The Parties agree that except as specifically modified by this Amendment all other provisions of the Interconnection Agreement shall remain in full force and effect.
3. The Parties further agree that either or both of the Parties is authorized to submit this Amendment to the appropriate state public service commission or other regulatory body having jurisdiction over the subject matter of this Amendment, for approval subject to Section 252(e) of the Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

BELLSOUTH CELLULAR CORP.

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

By: 

DATE: 10/7/97

DATE: 09/26/97

## ATTACHMENT A

The entities covered by this agreement (which are all entities BSCC either owns 100% or is controlling partners of) are:

Alabama Cellular Service, Inc.;  
Huntsville MSA Limited Partnership;  
Gulf Coast Cellular Telephone Company;  
Decatur RSA Limited Partnership;  
Anniston-Westel Company, Inc.;  
Orlando SMSA Limited Partnership;  
Jacksonville MSA Limited Partnership;  
Florida Cellular Service, Inc.;  
Florida RSA No. 2B (Indian River) Limited Partnership;  
Atlanta-Athens MSA Limited Partnership;  
American Cellular Communications Corporation;  
Georgia RSA No. 1 Limited Partnership;  
Georgia RSA No. 2 Limited Partnership;  
Northeastern Georgia RSA Limited Partnership;  
Georgia RSA No. 3 Limited Partnership;  
Kentucky CGSA, Inc.;  
Baton Rouge MSA Limited Partnership;  
Lafayette MSA Limited Partnership;  
Louisiana CGSA, Inc.;  
Acadiana Cellular General Partnership;  
Louisiana RSA No. 7 Cellular General Partnership;  
Louisiana RSA No. 8 Limited Partnership;  
MCTA; Memphis SMSA Limited Partnership;  
Northeast Mississippi Cellular, Inc.;  
Chattanooga MSA Limited Partnership;  
Nashville/Clarksville MSA Limited Partnership;  
Tennessee RSA Limited Partnership;  
M-T Cellular, Inc.;  
BellSouth Mobility Inc.  
Orlando CGSA, Inc.