

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth Telecommunications, Inc. for approval of amendment to interconnection, unbundling, and resale agreement with Orlando Telephone Company pursuant to Sections 251, 252, and 271 of the Telecommunications Act of 1996.

DOCKET NO. 980884-TP
ORDER NO. PSC-98-1369-FOF-TP
ISSUED: October 12, 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 AMENDMENT TO EXISTING
INTERCONNECTION, UNBUNDLING, AND RESALE AGREEMENT

BY THE COMMISSION:

On July 13, 1998, BellSouth Telecommunications, Inc. (BST) and Orlando Telephone Company (Orlando Telephone) filed a request for approval of an amendment to the existing interconnection, unbundling, and resale agreement under 47 U.S.C. § 252(e) of the Telecommunications Act of 1996 (the Act). The amendment to the existing 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.

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The existing agreement governs the relationship between the companies regarding local interconnection and the exchange of traffic pursuant to 47 U.S.C. § 251. Upon review of the proposed amendment to the existing agreement, we believe that it complies with the Telecommunications Act of 1996; thus, we hereby approve it. The Commission's approval of this agreement should not be construed as a determination that BellSouth has met the requirements of Section 271 of the Act. BST and Orlando Telephone are also required to file any subsequent supplements or modifications to their agreement with the Commission for review under the provisions of 47 U.S.C. § 252(e).

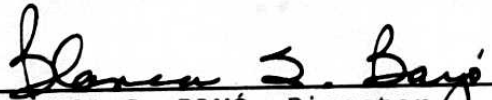
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the amendment to the existing interconnection, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and Orlando Telephone Company, 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 12th day of October, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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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).

**AMENDMENT
TO
MASTER INTERCONNECTION AGREEMENT BETWEEN
ORLANDO BUSINESS TELEPHONE SYSTEMS and
BELLSOUTH TELECOMMUNICATIONS, INC.
DATED JUNE 25, 1997**

Pursuant to this Agreement (the "Amendment"), Orlando Business Telephone Systems, Inc. ("OBTS") and BellSouth Telecommunications, Inc. ("BellSouth") hereinafter referred to collectively as the "Parties" hereby agree to amend that certain Master Interconnection Agreement between the Parties dated June 25, 1997 ("Interconnection Agreement").

WHEREAS, the Parties have implemented the Interconnection Agreement to connect the two networks; and

WHEREAS, the interconnection of the two networks through the leasing of facilities has generated a dispute regarding the appropriate access rates owed OBTS by BellSouth for termination of Interexchange Carrier ("IXC") switched access calls to ported numbers; and

WHEREAS, the Parties wish to amend the Interconnection Agreement to compromise and settle the dispute;

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

1. Pursuant to Section 4.9 of Attachment 5 of the Parties Interconnection Agreement, until the tandem provider is able to provide the necessary switched access records to permit the other company to bill the IXC directly for terminating switched access to ported numbers, then the tandem provider will bill the IXC full terminating switched access charges, keep the Interconnection charge, tandem switching and a portion of transport, and remit the local switching, a portion of transport and CCL revenues to the other company. If an IntraLATA call is delivered, the delivering company will pay terminating switched access rates to the other company.
2. For IXC switched access traffic ported to OBTS, where BellSouth is the tandem provider, BellSouth shall remit the local switching, a portion of transport and CCL revenues to OBTS at the rates reflected in OBTS's FCC approved Interstate Access Services Tariff, FCC No. 1, retroactive to the date of the first call terminated. Where OBTS is the tandem provider, OBTS shall remit the local switching, a portion of transport and CCL revenues to BellSouth at the rates reflected in BellSouth's FCC approved Interstate Access Service Tariff, FCC No. 1, retroactive to the date of the first call terminated.
3. For IntraLATA toll calls delivered to an OBTS ported number, BellSouth shall pay OBTS terminating switched access at the rates reflected in the Florida Price List contained in OBTS's Commission approved Intrastate Access Services Tariff retroactive to the date of the first call terminated. For IntraLATA toll calls delivered to a BellSouth

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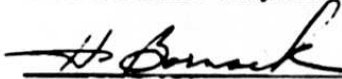
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ported number, OBTS shall pay BellSouth terminating switched access at the rates reflected in BellSouth's Commission approved Intrastate Access Service Tariff retroactive to the date of the first call terminated.

4. The payments made pursuant to this Amendment do not apply to the per-minute charge for local usage as set forth in the Parties Interconnection Agreement.
5. The terms of this Amendment reflect a compromise and settlement of a disputed claim by and between BellSouth and OBTS. By the execution of this Amendment, neither Party admits or accepts any liability, fault, or waiver of its position regarding the matter of the dispute. The terms of this Amendment shall not be utilized by either party as proof, evidence or support for the position of the other Party.
6. The Parties agree that all of the other provisions of the Interconnection Agreement, dated June 25, 1997, shall remain in full force and effect.
7. 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 federal 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.

Orlando Business Telephone Systems



Signature

Herb Borneck

Name

Chief Executive Officer

Title

6/2/98

Date

BellSouth Telecommunications, Inc.



Signature

Jerry D. Hendrix

Name

Director-Interconnection Services

Title

6/2/98

Date