

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth Telecommunications, Inc. for approval of amendment to interconnection, unbundling, and resale agreement with MCImetro Access Transmission Services, LLC pursuant to Sections 251, 252, and 271 of the Telecommunications Act of 1996.

DOCKET NO. 981629-TP  
ORDER NO. PSC-99-0153-FOF-TP  
ISSUED: January 25, 1999

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING AMENDMENT TO RESALE,  
INTERCONNECTION, AND UNBUNDLING AGREEMENT

BY THE COMMISSION:

On November 17, 1998, BellSouth Telecommunications, Inc. (BellSouth) and MCImetro Access Transmission Services, LLC (MCImetro) filed a request for approval of an amendment to their resale, interconnection, and unbundling agreement under 47 U.S.C. §252(e) of the Telecommunications Act of 1996 (the Act). The amendment to the agreement is attached to this Order as Attachment A and incorporated by reference herein. We approved the initial agreement between the companies in Order No. PSC-97-0723-FOF-TP issued June 19, 1997, in Docket No. 960846-TP.

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 and amendments thereto must be submitted to the state commission for

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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 amendment to the agreement applies for the duration of the initial agreement, effective 10 days after Commission approval. It governs 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 amendment to the agreement, we find that it complies with the Telecommunications Act of 1996; thus, we hereby approve it. BellSouth and MCImetro must file any supplements or modifications to their agreement with the Commission for review under the provisions of 47 U.S.C. § 252(e). We note that approval of this amendment to the agreement does not constitute a determination that BST has met the requirements of Section 271 of the Telecommunications Act.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the amendment to the resale, interconnection, and unbundling agreement between BellSouth Telecommunications, Inc. and MCImetro Access Transmission Services, LLC, 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.

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By ORDER of the Florida Public Service Commission, this 25th  
day of January, 1999.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

WPC/slh

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).

**ATTACHMENT A**

**THIRD AMENDMENT  
TO  
MCImetro/BELLSOUTH INTERCONNECTION AGREEMENT  
DATED  
JUNE 19, 1997**

Pursuant to this Amendment to MCImetro/BellSouth Interconnection Agreement (the "Amendment"), for the state of Florida, MCImetro Access Transmission Services, Inc. ("MCI") and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend the MCImetro/BellSouth interconnection Agreement dated June 19, 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, MCI and BellSouth hereby covenant and agree as follows:

1. Table 1, of Attachment I is hereby amended to include the following:

	<b>Recurring Rate</b>	<b>Non-Recurring Rate</b>
Selective Routing for Line CLASS Codes	\$0.00	\$230.00, Per End Office, Per Line CLASS code

2. Either or both of the Parties shall submit this Amendment to the Florida 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.

**MCImetro Access Transmission Services, Inc.**

By: Marcel Henry

Name: Marcel Henry  
Title: Vice President

Date: 9-1-98

**BellSouth Telecommunications, Inc.**

By: Jerry D. Hendrix

Name: Jerry D. Hendrix  
Title: Director-Interconnection Services-Pricing

Date: 9/4/98