

MEMORANDUM

February 8, 1999

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99 FEB -8 PM 2:36

RECORDS AND REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (MILLER) *JAM MCB*

RE: DOCKET NO. 981533-TP - REQUEST BY BELLSOUTH TELECOMMUNICATIONS, INC. FOR APPROVAL OF AMENDMENT TO INTERCONNECTION, UNBUNDLING, AND RESALE AGREEMENT WITH NORTH AMERICAN TELECOMMUNICATIONS CORP. PURSUANT TO SECTIONS 251, 252, AND 271 OF THE TELECOMMUNICATIONS ACT OF 1996.

99-0255-FDF-TP

Attached is an ORDER APPROVING AMENDMENT TO EXISTING INTERCONNECTION, UNBUNDLING, AND RESALE AGREEMENT, with attachments, to be issued in the above-referenced docket. (Number of pages in order -5)

JAM/anr
Attachment
cc: Division of Communications
I: 981533.jam

RECORDS AND REPORTING

FEB -9 PM 3:02

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 981533-TP
ORDER NO. PSC-99-0255-FOF-TP
ISSUED: February 9, 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 EXISTING
INTERCONNECTION, UNBUNDLING, AND RESALE AGREEMENT

BY THE COMMISSION:

On November 4, 1998, BellSouth Telecommunications, Inc., (BellSouth) and North American Telecommunications Corp. (NATC) filed a request for approval of an amendment to their existing interconnection, unbundling and resale agreement pursuant to 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)

DOCUMENT NUMBER-DATE

01705 FEB-99

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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 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. Our approval of this amendment should not be construed as a determination that BellSouth has met the requirements of Section 271 of the Act. BellSouth and NATC 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). We note that NATC does not currently hold a Florida certificate to provide alternative local exchange telecommunications service, and therefore, it cannot provide alternative local exchange telecommunications services under this agreement until it obtains a certificate from this Commission.

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 North American Telecommunications Corp., 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 North American Telecommunications Corp. shall not provide alternative local exchange telecommunications services under this agreement until it obtains a certificate to provide alternative local exchange telecommunications services 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 9th
day of February, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

JAM

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 I to Master Interconnection Agreement between
North American Telecommunications Corporation and
BellSouth Telecommunications, Inc.**

Pursuant to this Agreement (the "Amendment"), North American Telecommunications Corporation ("NATC") 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 July 29, 1998 ("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, NATC and BellSouth hereby covenant and agree as follows:

1. The Parties agree that BellSouth will, upon request, provide and NATC will accept and pay for Multiple Tandem Access, otherwise referred to as Single Point of Interconnection, as defined in 2. following:

2. This arrangement provides for ordering interconnection to a single access tandem, or at a minimum less than all access tandems, within the LATA for NATC's terminating local and intraLATA toll traffic and BellSouth's terminating local and intraLATA toll traffic along with transit traffic to and from other ALECs, Interexchange Carriers, Independent Companies and Wireless Carriers. This arrangement can be ordered in one way trunks and/or two way trunks consistent with the trunking arrangements contained in Attachment 3 of the Parties July 29, 1998 Interconnection Agreement. The only restriction to this arrangement is that all of NATC's NXXs must be associated with these access tandems, otherwise NATC must interconnect to each tandem where an NXX is "homed" for transit traffic switched to and from an Interexchange Carrier.

3. Local usage that cannot be recorded will be determined by applying NATC's reported Percent Local Usage as the parties shall develop as set forth in Attachment 3 of the Parties July 29, 1998 Interconnection Agreement.

4. The Parties agree that all access traffic shall be billed on an elemental basis at the rates, terms and conditions reflected in BellSouth's Access Services Tariff.

5. The Parties agree that all of the other provisions of the Interconnection Agreement, dated July 29, 1998, shall remain in full force and effect.

6. Either or both of the Parties is authorized to submit this Amendment to each Public Service Commission 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.

BellSouth Telecommunications, Inc.

North American Telecommunications Corporation



Signature



Signature

Jerry D. Hendrix
Printed Name

Carl Borruso
Printed Name

Director-Interconnection Services-Pricing
Title

Vice President
Title

8/20/98
Date

8/10/98
Date

DUPLICATE ORIGINAL