

MEMORANDUM

April 19, 1999

TO: DIVISION OF RECORDS AND REPORTING
FROM: DIVISION OF LEGAL SERVICES (PEÑA) ✓
RE: DOCKET NO. 990202-TP - REQU
TELECOMMUNICATIONS, INC FOR APPR
AGREEMENT WITH BELLSOUTH INTERNATIO

99-07

Attached is an ORDER APPROVING COLLOCAT
issued in the above-referenced docket. (Numb
- 3)

KMP/anr
Attachment
cc: Division of Communications
I: 990202.kmp

See 7

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth
Telecommunications, Inc. for
approval of collocation
agreement with BellSouth
International ACCESS, Inc.

DOCKET NO. 990202-TP
ORDER NO. PSC-99-0799-FOF-TP
ISSUED: April 21, 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 COLLOCATION AGREEMENT

BY THE COMMISSION:

On February 23 1999, BellSouth Telecommunications, Inc. (BST) and BellSouth International ACCESS, Inc. (BellSouth International ACCESS) filed a request for approval of a collocation agreement pursuant to 47 U.S.C. §252(e) of the Telecommunications Act of 1996 (the Act). The agreement is incorporated by reference herein. A copy of the agreement may be obtained from the official docket file by contacting our Division of Records and Reporting.

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 two-year period and governs the relationship between the companies regarding physical collocation services under 47 U.S.C. § 251. The agreement states that collocation space will be provided for BellSouth International ACCESS in BST's Central Offices. Rates for the collocation space and telecommunications services are set out in the schedules.

DOCUMENT NUMBER-DATE

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Upon review of the proposed agreement, complies with the Telecommunications Act of 1996, the Commission approves it. The Commission's approval of this agreement shall be construed as a determination that BST has met the requirements of Section 271 of the Act. BST and BellSouth are also required to file any subsequent modifications to their agreement with the Commission under the provisions of 47 U.S.C. § 252(e). While BellSouth International ACCESS does not currently hold a certificate of public convenience and necessity to provide alternative local exchange telecommunications services and therefore, it cannot provide alternative 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 collocation agreement between BellSouth Telecommunications and BellSouth International ACCESS, Inc., as referenced in this Order, and is hereby approved. A certificate of public convenience and necessity for the agreement may be obtained as specified in the Order. It is further

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

ORDERED that BellSouth International ACCESS shall not provide alternative local exchange telecommunications services under this agreement until it obtains a certificate of public convenience and necessity for alternative local exchange telecommunications services from the Commission. It is further

ORDERED that this docket shall be closed.

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By ORDER of the Florida Public Service Commission, this 21st
day of April, 1999.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

KMP

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).