

M E M O R A N D U M

April 19, 1999

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RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (WATTS) *CBW (103)*

RE: DOCKET NO. 990208-TP -In re: Request by BellSouth
Telecommunications, Inc. for approval of interconnection,
unbundling, and resale agreement with Netcon Telcom, Inc.

99-0786-FDA

Attached is an:

ORDER ACKNOWLEDGING ADOPTION OF RESALE,
INTERCONNECTION, AND UNBUNDLING AGREEMENT

to be issued in the above-referenced docket. (Number of pages in
order - 3)

CBW/slh
Attachment
cc: Division of Communications (Smitha)
I:990208or.cbw

See 1.2

2/0-

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth
Telecommunications, Inc. for
approval of interconnection,
unbundling, and resale agreement
with Netcon Telcom, Inc.

DOCKET NO. 990208-TP
ORDER NO. PSC-99-0786-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 ACKNOWLEDGING ADOPTION OF RESALE,
INTERCONNECTION, AND UNBUNDLING AGREEMENT

BY THE COMMISSION:

On February 24, 1999, BellSouth Telecommunications, Inc. (BellSouth) and Netcon Telcom, Inc. (Netcon Telcom) filed a request for acknowledgement of adoption of an resale, interconnection, and unbundling 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. Additionally, Section 252(i) of the Act requires incumbent local carriers to make available any interconnection, service, or network element provided under an agreement approved by the appropriate regulatory body to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement in its entirety.

DOCUMENT NUMBER-DATE

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BellSouth and Netcon Telcom have adopted in its entirety the MCIm Interconnection Agreement dated June 3, 1997, and any and all amendments to said agreement and approved by the appropriate regulatory body.

This agreement covers a two-year period and 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 agreement, we find that it complies with the Telecommunications Act of 1996; thus, we hereby approve it. BellSouth and Netcon Telcom 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 agreement does not constitute a determination that BellSouth 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 adoption of the resale, interconnection, and unbundling agreement between BellSouth Telecommunications, Inc. and Netcon Telcom, Inc., is incorporated by reference in this Order, and is hereby approved. A copy of the agreement may be obtained as specified in the body of this Order. 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 21st
day of April, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CBW

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).