

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Notice by BellSouth Telecommunications, Inc. of adoption of an approved interconnection, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and American Communication Services of Jacksonville, Inc. D/b/a e.spire Communications, Inc. by BlueStar Networks, Inc.

DOCKET NO. 991114-TP  
ORDER NO. PSC-99-1676-FOF-TP  
ISSUED: August 30, 1999

ORDER APPROVING ADOPTION OF INTERCONNECTION, UNBUNDLING, AND  
RESALE AGREEMENT AND APPROVED AMENDMENTS

BY THE COMMISSION:

By letter dated August 16, 1999, BellSouth Telecommunications, Inc. (BellSouth) and BlueStar Networks, Inc. (BlueStar) filed a notice of adoption in its entirety of the interconnection, unbundling, and resale agreement and any amendments to this agreement, approved by the Commission as of June 30, 1999, entered into and between BellSouth and American Communication Services of Jacksonville, Inc. (ACSI), pursuant to 47 U.S.C. §252(i) of the Telecommunications Act of 1996 (the Act). A copy of the agreement and the approved amendments may be obtained from the official docket file by contacting our Division of Records and Reporting.

This agreement was approved by the Commission by Order No. PSC-96-1509-FOF-TP, issued on December 12, 1996, and is incorporated by reference herein. We note that the amendments to this agreement are both in the name of ACSI and its subsequent name of e.spire Communications, Inc.

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(i) requires that a local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved by the state commission to any other requesting telecommunications carrier upon the same terms and conditions as

DOCUMENT NUMBER-DATE

10331 AUG 30 99

PSC-RECORDS/REPORTING

ORDER NO. PSC-99-1676-FOF-TP  
DOCKET NO. 991114-TP  
PAGE 2

those provided in the agreement in its entirety. Further, Section 252(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved.

The adoption of this agreement shall be effective on the date of issuance of this Order and will expire on the date specified in the agreement or the approved amendments. This 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 adoption, we find that it complies with the Act; thus, we hereby approve it. We note that we hereby approve the adoption of the amendments to the agreement that we have approved as of the date of issuance of this Order. BellSouth and BlueStar shall file with the Commission a copy of all amendments to this agreement approved after the issuance of this Order and shall also cross reference this docket in their future filings.

Based on the foregoing, it is


ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. and BlueStar Networks, Inc.'s adoption in its entirety of BellSouth Telecommunications, Inc. and American Communication Services of Jacksonville, Inc.'s interconnection, unbundling, and resale agreement and all amendments to this agreement, approved by the Commission as of June 30, 1999, and incorporated by reference in this Order, is hereby approved. A copy of the agreement and the approved amendments may be obtained as specified in the body of this Order. It is further

ORDERED that any amendments to this agreement, approved by the Commission after issuance of this Order, must be filed with the Commission cross referencing this docket. It is further

ORDERED that this docket is hereby closed.

ORDER NO. PSC-99-1676-FOF-TP  
DOCKET NO. 991114-TP  
PAGE 3

By ORDER of the Florida Public Service Commission, this 30th  
day of August, 1999.

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( 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 by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Date 9/1/99  
 Number of Originals 3 Copies Per Original 19  
 Requested By Ruth

Item Presented

Agenda For (Date) \_\_\_\_\_ Order No. 99-1676 In Docket No. 991114  
 Notice of \_\_\_\_\_ For (Date) \_\_\_\_\_ In Docket No. \_\_\_\_\_  
 Other \_\_\_\_\_

Special Handling Instructions

Distribution/Mailing

Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>19</u>	<u>Commission Offices</u>	<u>--</u>	_____
<u>(2)</u>	<u>Docket Mailing List - Mailed</u>	_____	_____
	<u>Docket Mailing List - Faxed</u>	_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 21 Verified By Michael  
 Date and Time Completed 9/2 Job Checked For Correctness and Quality (Initial) "

Mail Room Verification

Date Mailed / Verified By /

4:00

M E M O R A N D U M

August 30, 1999

RECEIVED-PPSC

09 AUG 30 PM 1:30

RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *mlcB*

RE: DOCKET NO. 991114-TP - NOTICE BY BELLSOUTH  
TELECOMMUNICATIONS, INC. OF ADOPTION OF AN APPROVED  
INTERCONNECTION, UNBUNDLING, AND RESALE AGREEMENT BETWEEN  
BELLSOUTH TELECOMMUNICATIONS, INC. AND AMERICAN  
COMMUNICATION SERVICES OF JACKSONVILLE, INC. D/B/A  
E.SPIRE COMMUNICATIONS, INC. BY BLUESTAR NETWORKS, INC.

1676-FDF

Attached is an ORDER APPROVING ADOPTION OF INTERCONNECTION,  
UNBUNDLING, AND RESALE AGREEMENT AND APPROVED AMENDMENTS to be  
issued in the above-referenced docket. (Number of pages in order  
- 3)

KMP/sa  
Attachment  
cc: Division of Communications  
I:991114.kmp

see!

2/0 -