

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for temporary waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Daytona Beach Port Orange Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 980946-TL

In re: Petition for waiver of physical collocation requirements set forth in the Telecommunications Act of 1996 and the FCC's First Report and Order, for the Boca Raton Boca Teeca Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 980947-TL

In re: Petition for waiver of physical collocation requirements set forth in the 1996 Telecommunications Act and the FCC's First Report and Order, for the Miami Palmetto Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 980948-TL

In re: Petition for waiver of physical collocation requirements set forth in the Telecommunications Act of 1996 and the FCC's First Report and Order, for the West Palm Beach Gardens Central Office, by BellSouth Telecommunications, Inc.

DOCKET NO. 981011-TL

DOCUMENT NUMBER-DATE

10500 SEP-28

FPSC-RECORDS/REPORTING

ORDER NO. PSC-99-1711-FOF-TL  
DOCKETS NOS. 980946-TL, 980947-TL, 980948-TL, 981011-TL,  
981012-TL, 981250-TL  
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In re: Petition for waiver of  
physical collocation  
requirements set forth in the  
Telecommunications Act of 1996  
and the FCC's First Report and  
Order, for the North Dade Golden  
Glades Central Office, by  
BellSouth Telecommunications,  
Inc.

DOCKET NO. 981012-TL

In re: Petition for temporary  
waiver of physical collocation  
requirements set forth in the  
1996 Telecommunications Act and  
the FCC's First Report and  
Order, for the Lake Mary Main  
Central Office, by BellSouth  
Telecommunications, Inc.

DOCKET NO. 981250-TL  
ORDER NO. PSC-99-1711-FOF-TL  
ISSUED: September 2, 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.

FINAL ORDER ACKNOWLEDGING WITHDRAWAL OF PETITIONS  
AND CLOSING DOCKETS

BY THE COMMISSION:

On July 27, 1998, BellSouth Telecommunications, Inc.  
(BellSouth) filed a Petition for Temporary Waiver and two Petitions  
for Waiver from provisions set forth in the Telecommunications Act  
of 1996 (Act) and the Federal Communication Commission's (FCC)  
First Report and Order, FCC Order 96-325, which require the

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company to allow ALECs to physically collocate in its central offices unless it:

. . . demonstrates to the State commission that physical collocation is not practical for technical reasons or because of space limitations.

47 U.S.C. § 251 (c)(6). On August 7, 1998, BellSouth filed two more Petitions for Waiver from the physical collocation requirements, Docket Nos. 981011-TL and 981012-TL, and on October 1, 1998, BellSouth filed a sixth Petition for Temporary Waiver from the physical collocation requirements, Docket No. 981250-TL. The central offices at issue in these Dockets are the Daytona Beach Port Orange office, the Boca Raton Boca Teeca office, the Miami Palmetto office, the West Palm Beach Gardens office, the North Dade Golden Glades office, and the Lake Mary office, respectively. These Dockets were set for hearing on June 9-11, 1999.

At the May 17, 1999, prehearing conference, BellSouth indicated that it planned to seek a continuance of these proceedings in view of the FCC's Order No. 99-48, issued March 31, 1999. On May 21, 1999, BellSouth filed its Motion for Continuance. By Order No. PSC-99-1123-PCO-TL, issued June 3, 1999, BellSouth's Motion was granted.

On July 26, 1999, a status conference was conducted. At that status conference, BellSouth explained that it has determined that space is available in these offices for the parties to these dockets that had requested space in these offices as of the date that BellSouth filed its Motion for Continuance, May 21, 1999. BellSouth stated, therefore, that it wishes to withdraw its pending Petitions. BellSouth noted that it will likely have to file new Petitions for Waiver in the near future for several of the central offices at issue in these Dockets.

Upon consideration, we hereby acknowledge BellSouth's July 26, 1999, oral withdrawal of its Petitions for Waiver and Temporary Waiver. BellSouth has indicated that it has found space in these offices based upon the requirements in FCC Order 99-48, and that a waiver is not necessary at this time.

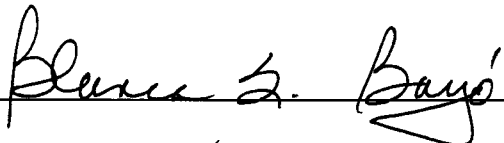
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With BellSouth's withdrawal of these waiver petitions, no further issues remain for us to address in these dockets. Therefore, these dockets shall be closed.

It is therefore

ORDERED by the Florida Public Service Commission that Dockets Nos. 980946-TL, 980947-TL, 980948-TL, 981011-TL, 981012-TL, and 981250-TL are closed.

By ORDER of the Florida Public Service Commission this 2nd Day of September, 1999.



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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

BK

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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.