

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 and American
Communication Services of
Jacksonville, Inc. d/b/a e.spire
Communications, Inc. by Light
Networks, Inc.

DOCKET NO. 991320-TP
ORDER NO. PSC-99-1923-FOF-TP
ISSUED: September 28, 1999

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

BY THE COMMISSION:

By letter dated September 2, 1999, BellSouth Telecommunications, Inc. (BellSouth) and Light Networks, Inc. (Light Networks) filed a notice of adoption in its entirety of the interconnection, unbundling, and resale agreement and any amendments to this agreement 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 those provided in the agreement in its entirety. Further, Section

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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 Light Networks 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. We further note that Light Networks 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 to provide alternative local exchange telecommunications service from this Commission.

Based on the foregoing, it is


ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. and Light 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 this Commission as of the date of issuance of this Order, 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.

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By ORDER of the Florida Public Service Commission, this 28th
day of September, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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 in Federal district court pursuant to the Federal Telecommunications Act of 1996, 47 U.S.C. § 252(e)(6).