

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for emergency relief by Supra Telecommunications and Information Systems, Inc. against BellSouth Telecommunications, Inc., concerning collocation and interconnection agreements.

DOCKET NO. 980800-TP
ORDER NO. PSC-99-2088-FOF-TP
ISSUED: October 22, 1999

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.

ORDER CLOSING DOCKET

BY THE COMMISSION:

On June 30, 1998, Supra Telecommunications and Information Systems (Supra) filed a Petition for Emergency Relief against BellSouth Telecommunications, Inc. (BellSouth). By its Petition, Supra asked that we require BellSouth to permit Supra to physically collocate in BellSouth's North Dade Golden Glades and West Palm Beach Gardens central offices. On July 20, 1998, BellSouth filed its Answer and Response to Supra's Petition.

On October 21, 1998, we conducted an administrative hearing regarding space availability and interpretation of BellSouth's obligations under its collocation agreement with Supra. On January 6, 1999, we issued Order No. PSC-99-0060-FOF-TP resolving Supra's complaint. Therein, we determined that there is space available in the West Palm Beach Gardens and North Dade Golden Glades central offices to accommodate Supra's requests for physical collocation. Further, we determined that BellSouth must allocate 200 square feet in each office to Supra. In addition, we found that BellSouth shall not be required to allow Supra to physically collocate its Cisco equipment or the Ascend TNT.

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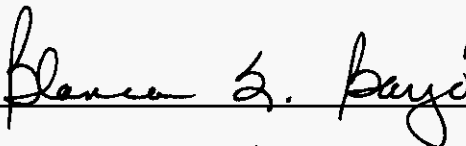
On January 21, 1999, Supra filed a Motion for Reconsideration of Order No. PSC-99-0060-FOF-TP. Supra also submitted a request for oral argument on its motion. That same day, BellSouth also filed a Motion for Reconsideration. On January 29, 1999, Supra filed its Response in Opposition to BellSouth's Motion for Reconsideration. On February 1, 1999, BellSouth filed its Opposition to Supra's Motion for Reconsideration and Motion to Strike Portions of Supra's Motion. BellSouth also filed an Opposition to Supra's request for oral argument. On February 15, 1999, Supra filed its Response to BellSouth's Motion to Strike. On February 4, 1999, BellSouth filed a Motion for Stay Pending Appeal of Order No. PSC-99-0047-FOF-TP. On February 15, 1999, Supra filed its Response to BellSouth's Motion for Stay. By Order No. PSC-99-0582-FOF-TP, issued March 29, 1999, we granted the motion to strike, denied the motions for reconsideration, and granted the request for a stay pending appeal.

Subsequently, BellSouth appealed our decision to the U.S. District Court for the Northern District of Florida. On August 31, 1999, we received notice that the Federal District Court had granted a voluntary dismissal of BellSouth's appeal. No further action by this Commission is required. Therefore, this Docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Docket No. 980800-TP shall be closed.

By ORDER of the Florida Public Service Commission this 22nd day of October, 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 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.