

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Supra Telecommunications and Information Systems, Inc. to set aside 2/3/98 order approving resale, interconnection and unbundling agreement with BellSouth Telecommunications, Inc., and to approve agreement actually entered into by parties.

DOCKET NO. 981832-TP

In re: Petition of Supra Telecommunications and Information Systems, Inc. to initiate investigation into unfair practices of BellSouth Telecommunications, Inc. in negotiating agreements with alternative local exchange carriers (ALECs) and in filing such agreements with the Florida Public Service Commission.

DOCKET NO. 981833-TP

In re: Request by BellSouth Telecommunications, Inc. for approval of interconnection, unbundling, and resale agreement with Supra Telecommunications and Information Systems, Inc.

DOCKET NO. 991444-TP  
ORDER NO. PSC-99-2336-FOF-TP  
ISSUED: December 2, 1999

The following Commissioners participated in the disposition of this matter:

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

DOCUMENT NUMBER-DATE

14705 DEC-28

FLSC REG-DEPT REPORTING

ORDER NO. PSC-99-2336-FOF-TP  
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ORDER APPROVING INTERCONNECTION, UNBUNDLING, AND  
RESALE AGREEMENT BETWEEN  
BELLSOUTH TELECOMMUNICATIONS, INC. AND  
SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC. AND  
CLOSING DOCKETS

BY THE COMMISSION:

Docket Nos. 981832-TP and 981833-TP were opened upon the filing of two petitions by Supra Telecommunications & Information Systems, Inc. (Supra) to: (1) set aside Order No. PSC-98-0206-FOF-TP, issued February 3, 1998, approving a interconnection, unbundling and resale agreement with BellSouth Telecommunications, Inc. (BellSouth) and approve the agreement actually entered into by the parties; and (2) initiate an investigation into unfair practices of BellSouth in negotiating agreements with alternative local exchange companies and in filing such agreements with the Commission. On February 1, 1999, BellSouth filed Motions to Dismiss, or in the alternative, to Dismiss the Petitions as Sham. On April 16, 1999, BellSouth filed Supplements to the Motion to Dismiss Supra's Petition.

On June 1, 1999, we issued Order No. PSC-99-1092-FOF-TP, dismissing on our own motion both petitions. We also directed the parties to submit a corrected agreement at their earliest convenience. If the parties could not agree on the corrections, the disputed terms were to be brought to us for arbitration.

On September 23, 1999, pursuant to Section 252(e) of the Telecommunications Act of 1996 (Act), BellSouth submitted a petition for approval of its negotiated interconnection, unbundling, and resale agreement with Supra.

Pursuant to Section 252(e) of the Act, any agreement adopted by negotiation shall be submitted to the state commission for approval. A state commission may only reject an agreement if it discriminates against a carrier not a party to the agreement, if the agreement is inconsistent with the public interest, convenience, and necessity, or if the agreement does not meet the requirements of Section 251.

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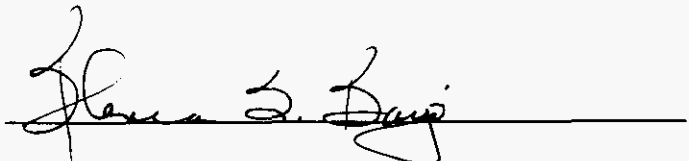
After reviewing the said agreement, we find it meets the standards set forth in Section 252(e) of the Act. Therefore, upon consideration, we approve the agreement. Furthermore, because no further action will be required in Dockets Nos. 991444-TP, 981832-TP and 981833-TP, we find they should be closed.

It is therefore

ORDERED by the Florida Public Service Commission that the negotiated interconnection, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and Supra Telecommunications and Information Systems, Inc. is approved. It is further

ORDERED that Dockets Nos. 981832-TP, 981833-TP, and 991444-TP shall be closed.

By ORDER of the Florida Public Service Commission this 2nd day of December, 1999.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

DWC

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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.