

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth
Telecommunications, Inc. for
approval of interconnection,
unbundling, and resale agreement
with Avana Communications
Corporation d/b/a AvanaCom.

DOCKET NO. 000139-TP
ORDER NO. PSC-00-0789-FOF-TP
ISSUED: April 21, 2000

The following Commissioners participated in the disposition of
this matter:

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

ORDER APPROVING INTERCONNECTION, UNBUNDLING,
AND RESALE AGREEMENT

BY THE COMMISSION:

On February 3, 2000, BellSouth Telecommunications, Inc. (BellSouth) and Avana Communications Corporation d/b/a AvanaCom (AvanaCom) filed a request for approval of an interconnection, unbundling and resale agreement pursuant to 47 U.S.C. §252(e) of the Telecommunications Act of 1996 (the Act). The agreement is incorporated by reference herein. A copy of the agreement may be obtained from the official docket file by contacting our Division of Records and Reporting.

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(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved.

This agreement covers a two-year period and governs the relationship between the companies regarding local interconnection and the exchange of traffic pursuant to 47 U.S.C. § 251. Under 47

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-0789-FOF-TP
DOCKET NO. 000139-TP
PAGE 2

U.S.C. § 252(a)(1), the agreement shall include a detailed schedule of itemized charges for interconnection and each service or network element included in the agreement.

Upon review of the proposed agreement, we believe that it complies with the Act; thus, we hereby approve it. The Commission's approval of this agreement should not be construed as a determination that BellSouth has met the requirements of Section 271 of the Act. BellSouth and AvanaCom are also required to file any subsequent supplements or modifications to their agreement with the Commission for review under the provisions of 47 U.S.C. § 252(e).

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the interconnection, unbundling and resale agreement between BellSouth Telecommunications, Inc. and Avana Communications Corporation d/b/a AvanaCom, is incorporated by reference in this Order, and is hereby approved. A copy of the agreement may be obtained as specified in the body of this Order. It is further

ORDERED that any supplements or modifications to this agreement must be filed with the Commission for review under the provisions of 47 U.S.C. § 252(e). It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 21st day of April, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

KMP

ORDER NO. PSC-00-0789-FOF-TP
DOCKET NO. 000139-TP
PAGE 3

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).

M E M O R A N D U M

April 18, 2000

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RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *WMP P/L*

RE: DOCKET NO. 000139-TP - REQUEST BY BELLSOUTH
TELECOMMUNICATIONS, INC. FOR APPROVAL OF INTERCONNECTION,
UNBUNDLING, AND RESALE AGREEMENT WITH AVANA
COMMUNICATIONS CORPORATION d/b/a AVANACOM.

0789-FCF

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

KMP/jmb
Attachment
cc: Division of Communications
I: 000139.kmp

*boxed - 2/0
mailed - 2/0*

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

February 8, 2000

Marshall M. Criser III, Regulatory Vice President
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

Re: Docket No. 000139-TP

Dear Mr. Criser:

This will acknowledge receipt of a request by BellSouth Telecommunications, Inc. for approval of amendment of interconnection, unbundling, and resale agreement with Avana Communications Corporation d/b/a AvanaCom, which was filed in this office on February 3, 2000 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Division of Records and Reporting
Florida Public Service Commission