

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth Telecommunications, Inc. for approval of interconnection, unbundling, resale, and collocation agreement with American Communication Services of Jacksonville, Inc. d/b/a e.spire Communications, Inc.

DOCKET NO. 001183-TP
ORDER NO. PSC-00-2209-FOF-TP
ISSUED: November 21, 2000

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
E. LEON JACOBS, JR.
LILA A. JABER
BRAULIO L. BAEZ

ORDER APPROVING INTERCONNECTION, UNBUNDLING,
RESALE, AND COLLOCATION AGREEMENT

BY THE COMMISSION:

On August 17, 2000, BellSouth Telecommunications, Inc. (BellSouth) and American Communications Services of Jacksonville d/b/a e.spire Communications, Inc. (e.spire Communications) filed a request for approval of an interconnection, unbundling resale, and collocation 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 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)

DOCUMENT NUMBER-DATE

15038 NOV 21 8

FPSC-RECORDS-REPORTING

ORDER NO. PSC-00-2209-FOF-TP
DOCKET NO. 001183-TP
PAGE 2

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

This agreement covers a three-year period and governs the relationship between the companies regarding physical collocation, local interconnection and the exchange of traffic pursuant to 47 U.S.C. § 251. The agreement states that collocation space will be provided for e.spire Communications in BellSouth's Central Offices and telecommunications services provided by BellSouth for resale will be available for purchase by e.spire Communications. Rates for the collocation space and telecommunications services are set out in the schedules included in the agreement. Under 47 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 consideration of the proposed agreement, we find 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 e.spire Communications 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 resale, and collocation agreement between BellSouth Telecommunications, Inc. and American Communications Services of Jacksonville d/b/a e.spire Communications, Inc., 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.

ORDER NO. PSC-00-2209-FOF-TP
DOCKET NO. 001183-TP
PAGE 3

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

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

JAE

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).

RAR Official Filing:

11/21/00***** 12:09 PM*****Linda Williams*****1

Linda Williams

2209- FOF

From: Andrea Cowart
Sent: Tuesday, November 21, 2000 12:03 PM
To: RAR - Orders-Notices
Cc: Susan Howard
Subject: ORDERS

The following orders have been copied to GCORDERS and are ready for issuance.

001198 - 001198or.jae
001259 - 001259or.jae
001183 - 001183or.jae
001375 - 001375or.jae
001030 - 001030or.jae
001377 - 001377or.jae
001364 - 001364or.jae
000928 - 000928or.jae
001120 - 001120or.jae
001091 - 001091or.jae
001185 - 001185or.jae
001376 - 001376or.jae
001235 - 001235or.jae
001197 - 001197or.jae
001327 - 001327or.jae
001178 - 001178or.jae

2/0

LAW OFFICES
MESSER, CAPARELLO & SELF
A PROFESSIONAL ASSOCIATION

215 SOUTH MONROE STREET, SUITE 701
POST OFFICE BOX 1876
TALLAHASSEE, FLORIDA 32302-1876
TELEPHONE: (850) 222-0720
TELECOPIER: (850) 224-4359
INTERNET: www.lawfla.com

August 29, 2000

00 AUG 30 AM 8 37
MAIL ROOM

RECORDS AND
REPORTING

00 AUG 30 AM 10:46

RECEIVED FPSC

001183

Ms. Blanca Bayó, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Dear Ms. Bayó:

Please revise your records to reflect Mr. James C. Falvey, Senior Vice President of Regulatory Affairs, e.spire Communications, Inc., 131 National Business Parkway, Suite 100, Annapolis Junction, Maryland, 20701, as the point of contact for the following companies/certificates.

American Communications Services, Inc. - Jacksonville, Inc., d/b/a
e.spire Communications, Inc. Certificate No. 4722, Company Code:
TX040

- 001183

American Communications Services, Inc. - Local/Switched Services,
Inc., d/b/a e.spire Communications, Inc. Certificate No. 5474,
Company Code: TX139

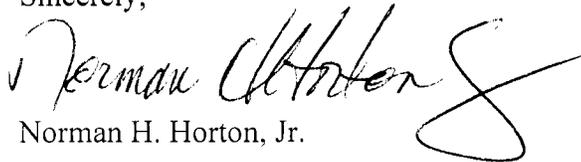
No open socket

American Communications Services, Inc. - Local Switched Services,
Inc. d/b/a e.spire Communications, Inc. Certificate No. 5339,
Company Code: TJ058

No open socket

Please call me if you have any questions.

Sincerely,



Norman H. Horton, Jr.

NHH/amb
cc: James C. Falvey, Esq.
Parties of Record

Done 9/01/00

STATE OF FLORIDA

Commissioners:
J. TERRY DEASON, CHAIRMAN
E. LEON JACOBS, JR.
LILA A. JABER



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

Public Service Commission

August 21, 2000

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

Re: Docket No. 001183-TP

Dear Mr. Criser:

This will acknowledge receipt of a Request by BellSouth Telecommunications, Inc. for approval of interconnection, unbundling, resale, and collocation agreement with American Communications Services of Jacksonville, Inc., d/b/a e.spire Communications, Inc. which was filed in this office on August 17, 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