

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of amendment to adopted terms of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Network Access Solutions Corporation.

DOCKET NO. 001638-TP
ORDER NO. PSC-01-0181-FOF-TP
ISSUED: January 22, 2001

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING AMENDMENT TO ADOPTED TERMS OF THE INTERCONNECTION, UNBUNDLING, RESALE, AND COLLOCATION AGREEMENT

BY THE COMMISSION:

On October 27, 2000, BellSouth Telecommunications, Inc. (BellSouth) and Network Access Solutions Corporation (Network Access Solutions) filed a request for approval of an amendment to the adopted terms of the interconnection, unbundling, resale, and collocation agreement pursuant to 47 U.S.C. §252(e) of the Telecommunications Act of 1996 (the Act). The amendment to the adopted terms of the agreement is incorporated by reference herein. A copy of the amendment to the adopted terms of the agreement may be obtained by contacting our Division of Records and Reporting.

The Act encourages parties to enter into negotiated agreements. 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

DOCUMENT NUMBER-DATE

00861 JAN 22 01

FPSC-RECORDS/REPORTING

ORDER NO. PSC-01-0181-FOF-TP
DOCKET NO. 001638-TP
PAGE 2

approve the agreement within 90 days after submission or it shall be deemed approved.

The existing agreement 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 Network Access Solutions in BellSouth's Central Offices and telecommunications services provided by BellSouth for resale will be available for purchase by Network Access Solutions. 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 review of the proposed amendment to the adopted terms of the agreement, we believe that it complies with the Act; thus, we hereby approve it. The Commission's approval of this amendment should not be construed as a determination that BellSouth has met the requirements of Section 271 of the Act. BellSouth and Network Access Solutions 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 amendment to the adopted terms of the interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Network Access Solutions Corporation, is incorporated by reference in this Order, and is hereby approved. A copy of the amendment to the adopted terms 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-01-0181-FOF-TP
DOCKET NO. 001638-TP
PAGE 3

By ORDER of the Florida Public Service Commission this 22nd
Day of January, 2001.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

KMP

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).