

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by BellSouth Telecommunications, Inc. for arbitration of an interconnection agreement with US LEC of Florida, Inc. pursuant to the Telecommunications Act of 1996.

DOCKET NO. 000084-TP
ORDER NO. PSC-01-0636-FOF-TP
ISSUED: March 15, 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 GRANTING WITHDRAWAL OF PETITION FOR ARBITRATION

BY THE COMMISSION:

On January 25, 2000, BellSouth Telecommunications, Inc. (BellSouth) filed a Petition for Arbitration of certain unresolved issues in its negotiations with US LEC of Florida, Inc. (US LEC). On February 14, 2000, US LEC filed a timely motion for a 90-day extension of time to file its response to BellSouth's petition. By Order No. PSC-00-0645-PCO-TP, issued April 6, 2000, the Commission granted US LEC's motion. On July 20, 2000, US LEC filed its response to BellSouth's Petition for Arbitration, with additional issues to resolve. On August 17, 2000, Order No. PSC-00-1483-PCO-TP establishing procedure was issued. A prehearing conference was held on November 8, 2000. The hearing was scheduled for December 14, 2000. By letter dated December 13, 2000, US LEC filed a Notice of Voluntary Dismissal of Petition for Arbitration on the basis that US LEC has elected, pursuant to 47 U.S.C. §252(i), to adopt the interconnection agreement entered into between BellSouth and Intermedia Communications, Inc. (Intermedia), filed with the Commission on October 4, 2000 and approved, as a matter of law,

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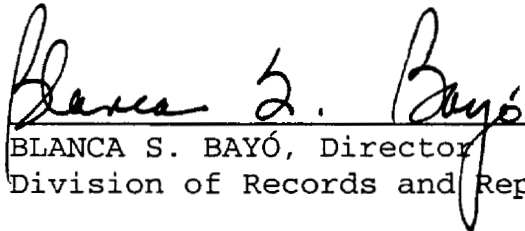
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pursuant to 47 U.S.C. §252(e)(4). On January 26, 2001, BellSouth filed its Notice of Withdrawal of Petition for Arbitration. The Commission is vested with jurisdiction over this matter pursuant to Section 252 of the Act.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 15th Day of March, 2001.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(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.

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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.