

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning complaint of TCG South Florida and Teleport Communications Group against BellSouth Telecommunications, Inc. for breach of terms of interconnection agreement.

DOCKET NO. 001810-TP
ORDER NO. PSC-01-2123-FOF-TP
ISSUED: October 29, 2001

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ

ORDER ACKNOWLEDGING WITHDRAWAL OF COMPLAINT

BY THE COMMISSION:

BACKGROUND

On December 20, 2000, TCG South Florida and Teleport Communications Group (TCG) filed a complaint against BellSouth Telecommunications, Inc. (BellSouth) seeking resolution of alleged breach of terms of the parties' interconnection agreement. TCG and BellSouth entered into an interconnection agreement effective July 14, 1999, approved by this Commission in Docket No. 991190-TP by Order No. PSC-99-1877-FOF-TP. In Docket No. 991190-TP, TCG adopted an existing interconnection agreement between AT&T and BellSouth. The AT&T/BellSouth agreement was in effect June 10, 1997 through June 10, 2000, as approved in Docket No. 960833-TP by Order No. PSC-97-0724-FOF-TP.

On January 9, 2001, BellSouth timely filed its answer to TCG's complaint. A prehearing and hearing were held in this matter on May 30, 2001, and June 22, 2001, respectively. On July 27, 2001, the parties timely filed their posthearing briefs.

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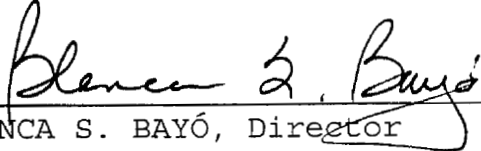
Subsequently, on September 13, 2001, TCG filed its Notice of Withdrawal of Complaint against BellSouth stating that all issues of dispute had been settled between the parties. Therefore, we acknowledge TCG's Notice of Withdrawal in light of the fact there are no longer issues in dispute.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that TCG South Florida and Teleport Communications Group's Notice of Withdrawal of Complaint is hereby acknowledged. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 29th day of October, 2001.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

PAC

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 the Commission Clerk and Administrative Services, 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 the Commission Clerk and Administrative Services 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.