

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition to establish generic docket to consider amendments to interconnection agreements resulting from changes in law, by BellSouth Telecommunications, Inc.

DOCKET NO. 041269-TP  
ORDER NO. PSC-05-1000-PCO-TP  
ISSUED: October 14, 2005

ORDER GRANTING COMPSOUTH'S REQUESTS FOR OFFICIAL RECOGNITION

On August 16, 2005, the Competitive Carriers of the South (CompSouth) filed its Request for Official Recognition of the *Order Denying Summary Judgment Motions (North Carolina Order)*, issued by the North Carolina Utilities Commission in Docket No. P-55, SUB 1549, In the Matter of: Proceeding to Consider Amendments to Interconnection Agreements Between BellSouth Telecommunications, Inc. and Competing Local Providers Due to Change of Law, on August 15, 2005.

On August 25, 2005, CompSouth filed its Request for Official Recognition of the *Order on Motions for Summary Judgment or Declaratory Ruling (Georgia Order)*, issued by the Georgia Public Service Commission in Docket No. 19341-U, In Re: Generic Proceeding to Examine Issues Related to BellSouth's Obligations to Provide Unbundled Network Elements, on August 23, 2005.

On October 7, 2005, CompSouth filed its Request for Official Recognition of the *Procedural Ruling Denying BellSouth Telecommunication, Inc.'s Motion for Summary Judgment or, in the Alternative, Motion for Declaratory Ruling and Rescheduling Time for Hearing (Alabama Procedural Ruling)*, issued by the Alabama Public Service Commission in Docket No. 29543, In Re: Petition Regarding the Establishment of a Generic Proceeding on Change of Law and Nondiscriminatory Pricing for UNEs, on October 5, 2005.

There have been no responses or objections to the aforementioned requests.

Upon consideration, I hereby find that the *North Carolina Order*, the *Georgia Order*, and the *Alabama Procedural Ruling* are documents for which this Commission may take official recognition pursuant to Section 90.202(5) of the Florida Evidence Code. Furthermore, I find that the *North Carolina Order*, the *Georgia Order*, and the *Alabama Procedural Ruling* are relevant to this proceeding, and therefore grant CompSouth's Requests for Official Recognition.

Based on the foregoing, it is

ORDERED by Commissioner Lisa Polak Edgar, as Prehearing Officer, that the Competitive Carriers of the South, Inc.'s Requests for Official Recognition are granted as set forth in the body of this Order.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION OFFICE

By ORDER of Commissioner Lisa Polak Edgar, as Prehearing Officer, this 14th day of October, 2005.



LISA POLAK EDGAR  
Commissioner and Prehearing Officer

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, 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 or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.