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August 14, 1996

Ms. Blanca Bayo
Director, Records and Reporting
Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

In re: Petition by AT&T Communications of the Southern States, Inc. to require carriers to file interconnection agreements in compliance with Section 252(a) of the Telecommunications Act of 1996.
Docket No. 960290-TP0

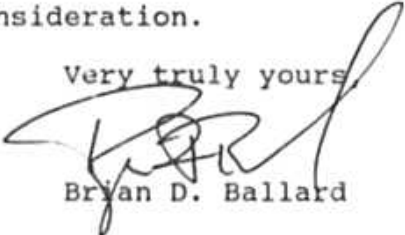
Dear Ms. Blanco:

Please find enclosed an original and fifteen copies of AT&T Communications of the Southern States, Inc.'s Petition on Proposed Agency Action for filing in the above-referenced docket.


Please indicate your receipt of these documents by stamping one copy and returning it to this writer.

Thank you for your consideration.

Very truly yours



Bryan D. Ballard

RECEIVED & FILED

EPSC-BUREAU OF RECORDS

BDB/ma

Enclosures
cc: All Parties of Record

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU 5 _____
- CTR _____
- EAG _____
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- LIN 5 _____
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- OTH _____

DOCUMENT NUMBER-DATE

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REC'D-RECORDS & REPORTING

In re: Petition by AT&T Communications)
of the Southern States, Inc. to)
require carriers to file interconnection)
agreements in compliance with Section)
Section 252(a) of the Telecommunications)
Act of 1996)

DOCKET NO. 960290-TP

Filed: August 14, 1996

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.'S
PETITION ON PROPOSED AGENCY ACTION

AT&T Communications of the Southern States, Inc. ("AT&T" or "Petitioner"), pursuant to Section 120.57, Florida Statutes (1995) and Rules 25-22.029 and 25-22.036, Fla. Admin. Code, petitions the Florida Public Service Commission ("PSC" or "Commission") for a formal administrative hearing and states:

1. Petitioner's full name and principal place of business are:

AT&T Communications of the Southern States, Inc.
1200 Peachtree Street, N.E.
Atlanta, Georgia 30309

2. All pleadings, orders, notices and other correspondence with respect to this docket should be addressed to:

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3. On March 1, 1996, AT&T requested that the Commission, consistent with Section 252(a) of the Telecommunications Act of 1996 ("Act"), require the filing of all existing interconnection agreements between local exchange telecommunications companies ("LECs") and other local exchange telecommunications companies. AT&T further requested that this Commission require that a copy of each such agreement be served upon AT&T so that AT&T could participate in the review of those agreements pursuant to Section 252(e) of the Act and evaluate whether to avail itself of such agreement pursuant to Section 252(i) of the Act prior to obtaining its own interconnection agreement. The Commission opened the above-referenced docket to address AT&T's request.

4. On July 24, 1996, the Commission issued a Notice of Proposed Agency Action Order Regarding the Filing of Interconnection Agreements. Commission Order No. PSC-96-0959-FOF-TP ("Order"). The proposed agency action required the filing, within fourteen days of the Order, of only those interconnection agreements deemed "competitive" interconnection agreements by the Commission. The Order essentially defined competitive interconnection agreements as those agreements negotiated between a LEC and a competitive carrier in the same market entered into before or after the enactment of the Act. Order at p. 4.

5. AT&T received notice of the Proposed Agency Action via U.S. Mail and facsimile transmission on or about July 24, 1996.

6. AT&T's substantial interests will be affected by the Commission's proposed agency action as the Commission's

interpretation of the ambit of Section 252(a) will severely limit the available interconnection arrangements and the number of interconnection agreements subject to review pursuant to Section 252(e) of the Act, thereby inhibiting AT&T's ability to determine whether such arrangements or agreements are appropriate for use by AT&T for interconnection. The Commission's interpretation of the Act is contrary to the Act itself and the Federal Communications Commission's First Report and Order ("FCC Order") interpreting Section 252(a) of the Act. FCC Order 96-325, released August 8, 1996, paragraphs 157 - 170. The Commission's interpretation of the Act also will result in discriminatory treatment which is prohibited pursuant to Section 364.16(3), Florida Statutes (1995) and Section 252(i) of the Act.

7. The disputed issues of material fact include, but are not limited to, whether, the Commission should require, in accordance with the FCC Order and pursuant to the plain language of Sections 252(a) and 252(i) of the Act, all interconnection agreements between a LEC and other carriers to be filed with the Commission, whether a copy of such agreements should be made available to AT&T and whether the terms and conditions of such agreements be made available to any requesting telecommunications carrier.

8. The FCC Order and the ultimate facts at issue in this docket mandate that Section 252(a) of the Act be interpreted to require the filing of all interconnection agreements between LECs and other telecommunications carriers, including existing interconnection agreements between incumbent LECs in non-competing

neighboring territories, for review pursuant to Section 252(e) of the Act to ensure that such agreements do not discriminate against third parties, and are not contrary to the public interest. Any other such interpretation would result in a violation of the FCC Order, the anti-discriminatory provisions of Section 252(i) of the Act and Section 364.16, Florida Statutes (1995).

9. Section 252 of the Act and Section 364, Florida Statutes (1995), entitle AT&T to the relief requested.

WHEREFORE, AT&T respectfully requests this Commission to hold a formal administrative hearing in this docket pursuant to Section 120.57, Florida Statutes, and, at the conclusion of that hearing, to issue an order requiring all LECs to file all interconnection agreements including those between incumbent LECs in adjacent territories with the Commission within seven days of the issuance of a final order in this docket. AT&T further respectfully requests that the Commission require that all parties filing such agreements with the Commission file a copy of the agreements with AT&T at the time of filing.

Respectfully submitted,



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THE SOUTHERN STATES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served by U.S. Mail or hand delivery this 14th day of August, 1996, to the following parties of record.

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