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MEMORANDUM

JUNE 12, 1997

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (WIDELL) *RAW RNT*  
DIVISION OF LEGAL SERVICES (STOVER) *MB for MS*

RE: DOCKET NO. ~~970417~~ TP - REQUEST FOR APPROVAL OF RESALE AGREEMENT NEGOTIATED BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC. AND TEL-LINK, L.L.C., PURSUANT TO SECTIONS 251 AND 252 OF THE TELECOMMUNICATIONS ACT OF 1996.

AGENDA: JUNE 24, 1997 - REGULAR AGENDA - PARTIES MAY PARTICIPATE

CRITICAL DATES: COMMISSION MUST APPROVE OR DENY BY 7/2/97 PER TELECOMMUNICATIONS ACT OF 1996

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\970417TP.RCM

CASE BACKGROUND

On April 3, 1997, BellSouth Telecommunications, Inc. (BST) and TEL-LINK, L.L.C. (TEL-LINK) filed a request for approval of a resale agreement. The agreement was executed on March 15, 1997, and the parties are seeking approval of the agreement under the Telecommunications Act of 1996.

On June 11, 1997, the parties filed a replacing page 1 for the agreement to correct a name discrepancy. The corrected page has been inserted into the agreement.

DOCUMENT NUMBER-DATE  
05933 JUN 12 97  
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**DISCUSSION OF ISSUES**

**ISSUE 1:** Should the Commission approve the resale agreement between BST and TEL-LINK?

**RECOMMENDATION:** Yes. The Commission should approve the proposed resale agreement between BST and TEL-LINK. The Commission should require BST and TEL-LINK to file any subsequent supplements or modifications to their agreement for Commission review under the provisions of 47 U.S.C. § 252(e). (WIDELL)

**STAFF ANALYSIS:** As stated in the Case Background, BST and TEL-LINK are seeking approval of their resale agreement (Attachment A) under the federal Telecommunications Act of 1996 (the Act). Both the Act and revised Chapter 364, Florida Statutes, encourage parties to enter into negotiated agreements to bring about local exchange competition as quickly as possible. If the parties reach a negotiated agreement, under 47 U.S.C. § 252(e), the agreement is to be filed with the state commission for approval. 47 U.S.C. § 252(a)(1) requires that "the agreement shall include a detailed schedule of itemized charges for interconnection and each service or network element included in the agreement." Under 47 U.S.C. § 252(e)(4), the state commission must approve or reject the agreement within 90 days after submission, or the agreement shall be deemed approved.

The agreement is a two-year agreement governing the relationship between the companies regarding resale of various services, and Line Information Data Base (LIDB) storage. The wholesale discounts from the BST retail rates are 18% for residential services and 12% for business services. Staff has reviewed the BST and TEL-LINK proposed agreement for compliance with the Act and recommends that the Commission approve it pursuant to § 252(e)(2)(A).

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ISSUE 2: Should Docket No. 970417-TP be closed?

RECOMMENDATION: Yes, with the adoption of staff's recommendation in Issue 1, and issuance of the Commission's order approving the agreement, Docket No. 970417-TP should be closed. (STOVER)