

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by BellSouth Telecommunications, Inc. for approval of amendment to resale, interconnection, and unbundling agreement with Vanguard Cellular Financial Corp., pursuant to Sections 251, 252, and 271 of Telecommunications Act of 1996.

DOCKET NO. 970818-TP
ORDER NO. PSC-97-1284-FOF-TP
ISSUED: October 17, 1997

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARCIA

ORDER APPROVING AMENDMENT TO RESALE,
INTERCONNECTION, AND UNBUNDLING AGREEMENT

BY THE COMMISSION:

On July 3, 1997, BellSouth Telecommunications, Inc. (BST) and Vanguard Cellular Financial Corp. (Vanguard) filed a request for approval of an amendment to their resale, interconnection, and unbundling agreement pursuant to the Telecommunications Act of 1996, 47 U.S.C. § 151 et seq. (the Act). We approved the initial agreement between the companies in Order No. PSC-97-0685-FOF-TP, issued June 11, 1997. The agreement is attached to this Order as Attachment A and incorporated by reference herein.

Both the Act and Chapter 364, Florida Statutes, encourage parties to enter into negotiated agreements to bring about local exchange competition as quickly as possible. Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved.

DOCUMENT NUMBER-DATE

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This amendment to the existing agreement covers a two-year period and governs the relationship between the companies regarding local interconnection and the exchange of traffic pursuant to 47 U.S.C. § 251. Under 47 U.S.C. § 252(a)(1), the agreement shall include a detailed schedule of itemized charges for interconnection and each service or network element included in the agreement.

Upon review of the proposed amendment to the existing agreement, we believe that it complies with the Telecommunications Act of 1996. Accordingly, the amendment is hereby approved. Our approval of this agreement should not be construed as a determination that BST has met the requirements of Section 271 of the Act. Further, BST and Vanguard shall file any subsequent supplements or modifications to their agreement with the Commission for review under the provisions of 47 U.S.C. § 252(e). We note that Vanguard does not currently hold a Florida certificate to provide telecommunications service, and therefore, it cannot provide land-line services under this agreement until it obtains a certificate from this Commission.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the amendment to the existing resale, interconnection, and unbundling agreement between BellSouth Telecommunications, Inc. and Vanguard Cellular Financial Corp., as set forth in Attachment A and incorporated by reference in this Order, is hereby approved. It is further

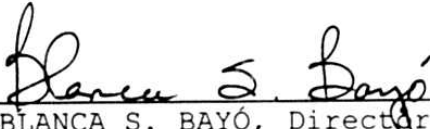
ORDERED that any supplements or modifications to this agreement must be filed with the Commission for review under the provisions of 47 U.S.C. § 252(e). It is further

ORDERED that Vanguard Cellular Financial Corp. shall not provide land-line services under this agreement until it obtains a certificate to provide telecommunications services from this Commission. It is further

ORDERED that this docket is closed.

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By ORDER of the Florida Public Service Commission, this 17th,
day of October, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

KMP

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.

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 in Federal district court pursuant to the Federal Telecommunications Act of 1996, 47 U.S.C. § 252(e)(6).

AMENDMENT

TO

INTERCONNECTION AGREEMENT BETWEEN
VANGUARD CELLULAR FINANCIAL CORP. AND BELLSOUTH
TELECOMMUNICATIONS, INC. EFFECTIVE
FEBRUARY 11, 1997

Pursuant to this Agreement (the "Amendment"), Vanguard Cellular Financial Corp. and BellSouth Telecommunications, Inc., hereinafter referred to collectively as the "Parties", hereby agree to amend that certain Interconnection Agreement between the Parties effective February 11, 1997 ("Interconnection Agreement").

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Vanguard Cellular Financial Corp. and BellSouth Telecommunications, Inc. hereby covenant and agree as follows:

1. The Parties agree that BellSouth Telecommunications Inc. will offer and Vanguard Cellular Financial Corp. will accept the revised local interconnection rates set forth in Attachment B-1 to this Amendment, which is incorporated herein by reference, in and for the states of Florida and South Carolina. The revised rates shall be deemed effective on the dates indicated on Attachment B-1.
2. The parties agree that Section XI of the Interconnection Agreement entitled "Provision of Operator Services" is hereby deleted in its entirety from the Interconnection Agreement.
3. The Parties agree that except as specifically modified by this Amendment all other provisions of the Interconnection Agreement shall remain in full force and effect.
4. The Parties further agree that either or both of the Parties is authorized to submit this Amendment to the appropriate state public service commission or other regulatory body having jurisdiction over the subject matter of this Amendment, for approval subject to Section 252(e) of the Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

VANGUARD CELLULAR FINANCIAL
CORP.

By: Richard C. Kowterson
vice president

DATE: 06/16/97

BELLSOUTH TELECOMMUNICATIONS,
INC.

By: [Signature]

DATE: 06/10/97

Attachment B-1

CMRS Local Interconnection Rates
(All rates are Per Minute of Use)

Florida (Effective March 1, 1997)

Type 1 (End Office Switched):	\$.00576 *
Type 2A (Tandem Switched):	\$.00576 *
Type 2B (Dedicated End Office):	\$.002

South Carolina (EFFECTIVE May 1, 1997)

Type 1 (End Office Switched):	\$.008438 *
Type 2A (Tandem Switched):	\$.008438 *
Type 2B (Dedicated End Office):	\$.00221

* These rates include the LATAwide Additive of \$.0025