

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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| <pre>In re: BellSouth Telecommunications, Inc.'s Petition for Waiver for the</pre> | ) | Docket No. | 9809 <u>4</u> 8-TL |
|--|---|------------|--------------------|
|  | ) |            | PEDODINO AND       |
| Miami Palmetto Central Office  | ) | Filed:     | 8-17-98 EPORTING   |
|  | ) |            |                    |

## PETITION OF INTERMEDIA COMMUNICATIONS INC. FOR LEAVE TO INTERVENE

Comes now Intermedia Communications Inc. (Intermedia) and requests that the Commission grant it intervention in this proceeding. As grounds Intermedia states:

- The exact name of the Petitioner and its address is: 1. Intermedia Communications Inc. 3625 Queen Palm Drive Tampa, Florida 33619-1309
- All notices, pleadings, orders, and documents in this 2. proceeding should be provided to:

Donna L. Canzano Patrick Knight Wiggins Wiggins & Villacorta, P.A. 2145 Delta Boulevard Suite 200 P.O. Drawer 1657 Tallahassee, Florida 32302 (850) 385-6007 (850) 385-6008

and

CK \_\_\_\_ Steve Brown Intermedia Communications Inc. ps \_\_\_\_ 3625 Queen Palm Drive Tampa, Florida 33619-1309 :AF \_\_\_\_\_ (813) 829-0011 MU2

| TR         | 3. ]        | Intermed | dia is cer | tificate | ed by the | e Flori | da Publ | ic Service    |    |
|------------|-------------|----------|------------|----------|-----------|---------|---------|---------------|----|
|            | Commission  |          |            |          |           |         |         |               |    |
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- 5. Section 251(c)(6) of the Telecommunications Act of 1996 (Act) requires the incumbent local exchange company (ILEC) to demonstrate to the state commission's satisfaction that there are space limitations on the ILEC's premises that make physical collocation impractical. The FCC has found that these issues are best addressed by state commissions on a case-by-case basis to evaluate whether a refusal to allow physical collocation is justified.
- 4. Intermedia has an approved interconnection agreement with BellSouth Telecommunications, Inc. (BellSouth), and operates as an alternative local exchange company in BellSouth's region. Moreover, Intermedia's business operations are substantially affected by BellSouth's request for waiver of the physical collocation requirements of Section 251(c)(6) of the Act and the FCC's First Report and Order, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98. Thus, Intermedia has standing to participate in this proceeding and should be granted intervention as a full party of record.

WHEREFORE, Intermedia Communications Inc. respectfully requests that it be granted leave to intervene in the above proceeding.

Dated this 17th day of August 1998.

Donna M. Canzano

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Counsel for Intermedia Communications Inc.

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail or hand delivery (\*) this 17th day of August, 1998, to the following:

Beth Keating(\*)
Staff Counsel
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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Tallahassee, FL 32301

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