

MEMORANDUM

December 17, 1998

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RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *B/K*
NCB

RE: DOCKET NO. 981419-TP- REQUEST BY BELLSOUTH
TELECOMMUNICATIONS, INC. FOR APPROVAL OF AMENDMENT TO
INTERCONNECTION, UNBUNDLING, AND RESALE AGREEMENT WITH
GOLDEN HARBOR OF FLORIDA, INC. D/B/A HOMETOWN TELEPHONE,
INC. PURSUANT TO SECTIONS 251, 252, AND 271 OF THE
TELECOMMUNICATIONS ACT OF 1996.

98-1720 FDF TP

Attached is an ORDER APPROVING AMENDMENT TO INTERCONNECTION,
UNBUNDLING, AND RESALE AGREEMENT, with attachments, to be issued in
the above referenced docket. (Number of pages in order - 4)

BK/anr
Attachment
cc: Division of Communications
I: 9814190.bk

See 1, 2

ATTACHMENT(S) NOT ON-LINE

Mailed - RAD

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by BellSouth Telecommunications, Inc. for approval of amendment to interconnection, unbundling, and resale agreement with Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. pursuant to Sections 251, 252, and 271 of the Telecommunications Act of 1996.

DOCKET NO. 981419-TP
ORDER NO. PSC-98-1726-FOF-TP
ISSUED: December 18, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

ORDER APPROVING AMENDMENT TO INTERCONNECTION,
UNBUNDLING, AND RESALE AGREEMENT

BY THE COMMISSION:

On October 27, 1998, BellSouth Telecommunications, Inc. (BellSouth) and Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc. (Hometown) filed a request for approval of an amendment to their existing interconnection, unbundling, and resale agreement under 47 U.S.C. §252(e) of the Telecommunications Act of 1996 (the Act). The amendment to the existing 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.

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The existing agreement governs the relationship between the companies regarding local interconnection and the exchange of traffic pursuant to 47 U.S.C. § 251, as well as the resale of tariffed telecommunications services. Upon review of the proposed amendment to the existing agreement, we find that it complies with the Telecommunications Act of 1996; thus, we hereby approve it. BellSouth and Hometown must file any subsequent supplements or modifications to their interconnection, unbundling, and resale agreement with the Commission for review under the provisions of 47 U.S.C. § 252(e). We note that approval of this agreement does not constitute a determination that BellSouth has met the requirements of Section 271 of the Telecommunications Act.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed amendment to the interconnection, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and Golden Harbor of Florida, Inc. d/b/a Hometown Telephone, Inc., 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 this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 18th day of December, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

BK

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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.

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).

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PAGE 4 **Amendment to Interconnection Agreement b**, **d** between

BellSouth Telecommunications, Inc. and

Golden Harbor of Florida d/b/a Hometown Telephone, Inc.


This Agreement refers to the Interconnection Agreement ("the Agreement") entered into by Golden Harbor of Florida d/b/a Hometown Telephone, Inc. ("HTI") and BellSouth Telecommunications, Inc. ("BellSouth") on December 24, 1997 in the state of Florida. This Amendment ("Amendment") is made by and between HTI and BellSouth and shall be deemed effective on the date executed by HTI and BellSouth.

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, HTI and BellSouth (individually, a "Party" and collectively, the "Parties") hereby covenant and agree as follows:

1. BellSouth and HTI are entering into this Agreement for the purpose of amending section 21.2 of the Terms and Conditions contained in their existing Agreement to allow BellSouth to provide HTI subscriber listings contained in BellSouth's Directory Assistance Database to third parties such as other CLEC's, Independent Companies and Interexchange Carriers or other telecommunications service providers who may request such information.
2. The Parties agree that all other provisions of the Interconnection Agreement, dated December 24, 1997, shall remain in full force and effect.
3. The Parties further agree that either or both of the Parties is authorized to submit this Amendment to the Florida 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 federal 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.

Golden Harbor of Florida
d/b/a Hometown Telephone, Inc.



Signature

Jerry James
Name

General Manager
Title

8/12/98
Date

BellSouth Telecommunications, Inc.


Signature

Jerry D. Hendrix
Name

Director - Interconnection Services
Title

8/12/98
Date