



Public Service Commission

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M-E-M-O-R-A-N-D-U-M

REC'D AND REPORTING
MAY 6 AM 11:24
RECEIVED FPSC

DATE: MAY 6, 1999

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

FROM: DIVISION OF COMMUNICATIONS (D. WATTS)^{DLW}
DIVISION OF LEGAL SERVICES (K. PEÑA) *KMP CB*

RE: DOCKET NO. 980464-TP - REQUEST TO VACATE ORDER NO. PSC-98-0863-FOF-TP APPROVING RESALE AGREEMENT NEGOTIATED BY BELL SOUTH TELECOMMUNICATIONS, INC. AND CINCINNATI BELL LONG DISTANCE.

AGENDA: 5/18/99 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\980464.RCM

CASE BACKGROUND

On March 31, 1998, BellSouth Telecommunications, Inc. (BellSouth) and Cincinnati Bell Long Distance (Cincinnati Bell) filed their resale agreement to be approved by the Commission. The agreement was approved in Docket No. 980464-TP by Order No. PSC-98-0863-FOF-TP, issued June 30, 1998. By letter dated February 3, 1999, BellSouth requested that the filing be withdrawn since Cincinnati Bell does not intend to do business in Florida. Docket No. 980464-TP was reopened on April 1, 1999 to address BellSouth's request. The purpose of this recommendation is to vacate the order approving the resale agreement.

STAFF DISCUSSION

ISSUE 1: Should Order No. PSC-98-0863-FOF-TP be vacated?

RECOMMENDATION: Yes, the Commission should vacate the order.

DOCUMENT NUMBER-DATE

05749 MAY-6 99

FPSC-RECORDS/REPORTING

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STAFF ANALYSIS: Staff has reviewed BellSouth's February 3, 1999 letter requesting that the filing be withdrawn due to the fact that Cincinnati Bell does not intend to do business in Florida. Therefore, staff finds it appropriate to recommend vacating Order No. PSC-98-0863-FOF-TP.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon issuance of the Commission's vacating order.

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, no other issues remain and this docket should be closed.