

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Notice by BellSouth Telecommunications, Inc. of adoption of an approved resale, interconnection, unbundling, and collocation agreement between BellSouth and DIECA by Inter Mountain Cable, Inc. d/b/a Mikrotec Communications.

DOCKET NO. 990791-TP
ORDER NO. PSC-99-1537-FOF-TP
ISSUED: August 4, 1999

ORDER APPROVING ADOPTION OF RESALE, INTERCONNECTION, UNBUNDLING,
AND COLLOCATION AGREEMENT AND APPROVED AMENDMENTS

BY THE COMMISSION:

By letter dated June 18, 1999, BellSouth Telecommunications, Inc. (BellSouth) and Inter Mountain Cable, Inc. d/b/a Mikrotec Communications (Mikrotec Communications) filed a notice of adoption in its entirety of the resale, interconnection, unbundling, and collocation agreement and any amendments to this agreement entered into and between BellSouth and DIECA Communications, Inc. d/b/a Covad Communications Company, pursuant to 47 U.S.C. §252(i) of the Telecommunications Act of 1996 (the Act). This agreement was approved by the Commission by Order No. PSC-99-0311-FOF-TP, issued on February 18, 1999, and is incorporated by reference herein. A copy of the agreement and the approved amendments may be obtained from the official docket file by contacting our Division of Records and Reporting.

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(i) requires that a local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved by the state commission to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement in its entirety. Further, 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

09246 AUG-4 99

FPSC-RECORDS/REPORTING

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The adoption of this agreement shall be effective on the date of issuance of this Order and will expire on the date specified in the agreement or the approved amendments. This agreement governs the relationship between the companies physical collocation, interconnection, and the resale of tariffed telecommunication services under 47 U.S.C. § 252(a)(1), and the exchange of traffic pursuant to 47 U.S.C. § 251.

Upon review of the proposed adoption, we find that it complies with the Act; thus, we hereby approve it. We note that we hereby approve the adoption of the amendments to the agreement that we have approved as of the date of issuance of this Order. BellSouth and Mikrotec Communications shall file with the Commission a copy of all amendments to this agreement approved after the issuance of this Order and shall also cross reference this docket in their future filings. We further note that Mikrotec Communications does not currently hold a Florida certificate to provide alternative local exchange telecommunications service, and therefore, it cannot provide alternative local exchange telecommunications services under this agreement until it obtains a certificate to provide alternative local exchange telecommunications service from this Commission.

Based on the foregoing, it is

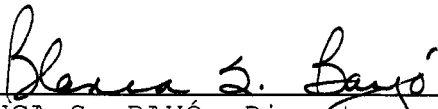
ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc. and Inter Mountain Cable, Inc. d/b/a Mikrotec Communications' adoption in its entirety of BellSouth Telecommunications, Inc. and DIECA Communications, Inc. d/b/a Covad Communications Company's resale, interconnection, unbundling, and collocation agreement and all amendments to this agreement, approved by this Commission as of the date of issuance of this Order, and incorporated by reference in this Order, is hereby approved. A copy of the agreement and the approved amendments may be obtained as specified in the body of this Order. It is further

ORDERED that any amendments to this agreement, approved by the Commission after issuance of this Order, must be filed with the Commission cross referencing this docket. It is further

ORDERED that this docket is hereby closed.

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By ORDER of the Florida Public Service Commission, this 4th
day of August, 1999.



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 by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

Requisition for Photocopying and Mailing

Date 8/14/99 19
Number of Originals 3 Copies Per Original _____
Requested By Ruth

Item Presented _____
Agenda For (Date) _____ Order No. 99-1537 In Docket No. 990791
Notice of _____ For (Date) _____ In Docket No. _____
Other _____

Special Handling Instructions _____

Distribution/Mailing			
Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>19</u>	<u>Commission Offices</u>		
<u>1</u>	<u>Docket Mailing List - Mailed</u>		
<u>1</u>	<u>Docket Mailing List - Faxed</u>		

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification
Job Number 87 Verified By Michael
Date and Time Completed 8/16 Job Checked For Correctness and Quality (Initial) ll

Mail Room Verification
Date Mailed / Verified By /

M E M O R A N D U M

July 27, 1999

RECEIVED-PPSC

AUG-3 AM 11:18

RECORDS AND
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (PEÑA) *KMP CB*

RE: DOCKET NO. 990791-TP - NOTICE BY BELLSOUTH
TELECOMMUNICATIONS, INC. OF ADOPTION OF AN APPROVED
RESALE, INTERCONNECTION, UNBUNDLING, AND COLLOCATION
AGREEMENT BETWEEN BELLSOUTH AND DIECA BY INTER MOUNTAIN
CABLE, INC.

1537-FOF

Attached is an ORDER APPROVING ADOPTION OF RESALE,
INTERCONNECTION, UNBUNDLING, AND COLLOCATION AGREEMENT AND APPROVED
AMENDMENTS to be issued in the above-referenced docket. (Number
of pages in order - 3)

KMP/sa
Attachment
cc: Division of Communications
I: 990791.kmp

See 12

*faxed - 1/1
attached*

Due to volume of orders received and per agreement
with LEG/Peña, order will be issued by 8/5/99.