



Public Service Commission

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

DATE: March 13, 2000
TO: Chairman Joe Garcia
FROM: Commissioner Susan F. Clark
RE: 991619-TP - Request for arbitration concerning complaint of KMC Telecom Inc. and KMC Telecom II, Inc. against BellSouth Telecommunications, Inc. regarding breach of interconnection agreement, and request for expedited relief.

On October 18, 1999, KMC Telecom, Inc. (KMCI) and KMC Telecom II, Inc. (KMCII)(collectively, KMC) filed a Petition with this Commission alleging breach of the Interconnection Agreement and requesting expedited relief. BellSouth Telecommunications, Inc. (BST) is certificated in Florida as a local exchange company. KMCI and KMCII are certified in Florida as alternative local exchange companies. On February 24, 1997, KMCI and BST entered into an agreement for BST to provide interconnection services to KMCI. On February 23, 1998, KMCII opted into the same agreement with BST. On August 30, 1999, pursuant to the requirements of the Agreement, KMC notified BST by letter of several complaints alleging that BST had breached the Interconnection Agreement. The parties had been unable to resolve the complaints. Pursuant to Order No. PSC-00-0310-PCO-TP, this matter has been scheduled for administrative hearing on May 12, 2000.

On March 2, 2000, KMC filed a Notice of Withdrawal of Complaint of KMC Telecom Inc. and KMC Telecom II Against BellSouth Telecommunications, Inc. for Breach of Interconnection Agreement and Request for Expedited Relief. In its notice, KMC states that it is withdrawing the complaint filed in this docket on October 18, 1999.

Therefore, the following action is appropriate:

- 1) The Prehearing Conference scheduled for May 3, 2000 may be canceled; and
2) The Hearing scheduled for May 12, 2000, may be canceled.

PAC/anc
cc: Division of Records and Reporting
Division of Communications (Favors)

Vertical list of initials: AFA, APP, CAP, CAMU, QTR, EAG, LEG, MAS, OPC, RRR, SEC, WAW, JTH

Handwritten signature: OK Joe Garcia Chairman

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Public Service Commission

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

DATE: March 13, 2000
TO: Commissioner Susan F. Clark
FROM: Patricia Christensen, Division of Legal Services *h*
RE: 991619-TP - Request for arbitration concerning complaint of KMC Telecom Inc. and KMC Telecom II, Inc. against BellSouth Telecommunications, Inc. regarding breach of interconnection agreement, and request for expedited relief.

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On March 2, 2000, KMC filed a Notice of Withdrawal of Complaint of KMC Telecom Inc. and KMC Telecom II Against BellSouth Telecommunications, Inc. for Breach of Interconnection Agreement and Request for Expedited Relief. In its notice, KMC states that it is withdrawing the complaint filed in this docket on October 18, 1999. Therefore, staff believes it is appropriate to cancel the prehearing and hearing dates and schedule this matter for future agenda conference to acknowledge KMC's withdrawal of its complaint.

PAC/anc

cc: Division of Records and Reporting
Division of Communications (Favors)