



Public Service Commission

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RECORDS AND REPORTING

DATE: APRIL 6, 2000

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

FROM: DIVISION OF COMMUNICATIONS (FAVORS, DOWDS) *CRF*
DIVISION OF LEGAL SERVICES (VACCARO) *N DL*

RE: DOCKET NO. 991786-TP - PETITION BY BELLSOUTH TELECOMMUNICATIONS, INC. FOR ARBITRATION OF RESALE AGREEMENT WITH TEL-LINK OF FLORIDA, L.L.C. AND TEL-LINK, L.L.C. *JD*

AGENDA: APRIL 18, 2000 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\991786.RCM

CASE BACKGROUND

On November 30, 1999, BellSouth Telecommunications, Inc. (BellSouth) filed a petition for arbitration of an interconnection agreement with Tel-Link, L.L.C. and Tel-Link of Florida, L.L.C. (collectively Tel-Link) under Section 252(b) of the Federal Telecommunications Act of 1996. Tel-Link did not file a response to BellSouth's petition.

On January 3, 2000, Tel-Link filed a request for a 90 day extension of time in the docket schedule due to a pending sale of Tel-Link. On January 10, 2000, Order No. PSC-00-0077-PCO-TP establishing procedure was issued. By Order No. PSC-00-0234-PCO-TP, issued February 4, 2000, Tel-Link's request for extension was granted and procedural dates were modified consistent with the 90 day extension.

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On March 20, 2000, BellSouth filed a Motion for Withdrawal of Petition for Arbitration, stating that Tel-Link had completed the sale of its assets and its business of reselling telephone service. As such, BellSouth states that there is no longer any need for a resale agreement between BellSouth and Tel-Link. Tel-Link did not file a response to BellSouth's motion. Tel-Link indicated by telephone conversation with legal staff that it supports BellSouth's motion.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant BellSouth Telecommunications, Inc.'s Motion for Withdrawal of Petition for Arbitration?

RECOMMENDATION: Yes. The Commission should grant BellSouth Telecommunications, Inc.'s Motion for Withdrawal of Petition for Arbitration. (VACCARO)

STAFF ANALYSIS: Staff recommends that the Commission grant BellSouth's motion, because BellSouth is withdrawing a petition it filed. Tel-Link supports BellSouth's motion. No other party has filed for intervention and staff believes no party would be prejudiced by this act.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if Issue 1 is approved, the docket should be closed. (VACCARO)

STAFF ANALYSIS: If Issue 1 is approved, the docket should be closed.