



Public Service Commission

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RECORDS AND REPORTING

DATE: JUNE 29, 2000

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

FROM: DIVISION OF COMPETITIVE SERVICES (BARRETT, ARANT, DOWDS, FULWOOD, WATTS)

DIVISION OF LEGAL SERVICES (VACCARO)

RE: DOCKET NO. 000500-TP - PETITION BY RHYTHMS LINKS INC. FOR EXPEDITED ARBITRATION AWARD IMPLEMENTING LINE SHARING WITH GTE FLORIDA INCORPORATED.

DOCKET NO. 000501-TP - PETITION BY RHYTHMS LINKS INC. FOR EXPEDITED ARBITRATION AWARD IMPLEMENTING LINE SHARING WITH BELLSOUTH TELECOMMUNICATIONS, INC.

AGENDA: JULY 11, 2000 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\000500.RCM

CASE BACKGROUND

On April 26, 2000, Rhythms Links, Inc. (Rhythms) filed petitions for expedited arbitration awards implementing line sharing with GTE Florida Incorporated (GTEFL) and BellSouth Telecommunications, Inc. (BST), pursuant to the Telecommunications Act of 1996 (Act). These petitions have been assigned Dockets Nos. 000500-TP and 000501-TP, respectively.

On May 1, 2000, Rhythms filed a Motion to Consolidate the two dockets. Rhythms also filed a Motion to Bifurcate and Expedite Proceedings. By Order No. PSC-00-0990-PCO-TP, issued May 19, 2000,

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Rhythms' Motion to Consolidate was granted, and its Motion to Bifurcate and Expedite was denied.

On May 31, 2000, Rhythms filed a Notice of Withdrawal of Arbitration Petition Against BellSouth. On June 7, 2000, Rhythms filed a Notice of Withdrawal of Arbitration Petition Against GTEFL. In both cases, the parties have entered into amendments to their respective interconnection agreements which address the provision of line sharing to Rhythms. Rhythms's indicates that while the amendments do not reflect all of BellSouth's and GTEFL's obligations to provide Rhythms line sharing, the agreements have lead to Rhythms' withdrawal of its petitions for arbitration at this time. Rhythms indicates that it reserves the right to petition the Commission to address line sharing issues at a future date.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission acknowledge Rhythms Links, Inc.'s Notices of Withdrawal of Arbitration Petition Against BellSouth Telecommunications, Inc. and GTE Florida Incorporated?

RECOMMENDATION: Yes. The Commission should acknowledge Rhythms Links, Inc.'s Notices of Withdrawal of Arbitration Petition Against BellSouth Telecommunications, Inc. and GTE Florida Incorporated. (VACCARO)

STAFF ANALYSIS: Staff recommends that the Commission acknowledge Rhythms Links, Inc.'s Notices of Withdrawal of Arbitration Petition Against BellSouth Telecommunications, Inc. and GTE Florida Incorporated, because Rhythms is withdrawing petitions it filed. The parties have entered amendments to their respective interconnection agreements which address the provision of line sharing to Rhythms. No other party has filed for intervention and staff believes that no party shall be prejudiced by this act.

DOCKET NOS. 000500-TP, 000501-TP
DATE: June 29, 2000

ISSUE 2: Should these dockets be closed?

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

STAFF ANALYSIS: If Issue 1 is approved, these dockets should be closed.