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RECORDS AND REPORTING

MEMORANDUM

July 19, 2000

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (VACCARO) *TV*

RE: DOCKET NO. 000262-TP - PETITION BY BELLSOUTH TELECOMMUNICATIONS, INC. FOR SECTION 252(b) ARBITRATION OF A RESALE AGREEMENT WITH NOW COMMUNICATIONS, INC.

Please record the attached letter as a document in the above-referenced docket.

TV/sa

Attachment

cc: Division of Competitive Services (Barrett)

APP _____

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WIGGINS & VILLACORTA, P.A.
ATTORNEYS AT LAW

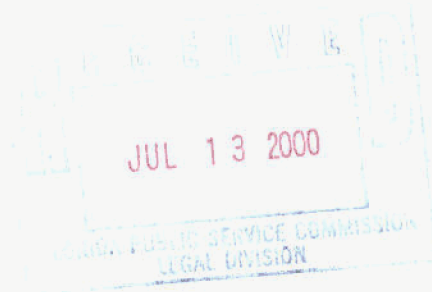
POST OFFICE DRAWER 1657
TALLAHASSEE, FLORIDA 32302

2145 DELTA BOULEVARD, SUITE 200
TALLAHASSEE, FLORIDA 32303

TELEPHONE (850) 385-6007
FACSIMILE (850) 385-6008
INTERNET: wiggvill@nettally.com

July 11, 2000

Mr. Tim Vaccaro
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



Re: Petition for Section 252(b) Arbitration of a Resale Agreement between BellSouth Telecommunications, Inc., and NOW Communications, Inc.; Docket No. 000262-TP

Dear Tim:

The parties have reached agreement on the language of issues 7 and 10, as follows:

Issue 7(a) Should the Agreement contain language defining the Commission's jurisdiction to resolve disputes arising thereunder?

7(b) If so, what should that language be?

Issue 10 What limitations, if any, to the rules of contract construction that otherwise would be applicable should be imposed for purposes of resolving agreement interpretation disputes?

Accordingly, the parties believe that the oral argument scheduled for this Friday, July 14th, before Commissioner Deason is unnecessary and should be cancelled.

Sincerely yours,

Charles J. Pellegrini,
Counsel for NOW Communications, Inc.

- c. Mr. Michael Goggin, BellSouth Telecommunications, Inc.
Mr. Jim Mingee, McKay & Simpson
Mr. Carroll Ingram, Ingram & Assoc.
Mr. Larry Seab, NOW Communications, Inc.