

State of Florida



Public Service Commission

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

DATE: October 16, 2000

TO: Chairman J. Terry Deason
Commissioner E. Leon Jacobs, Jr.
Commissioner Lila A. Jaber
Commissioner Braulio L. Baez

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RECORDS AND REPORTING

FROM: Division of Legal Services (Dandelake) MLD [signature]

RE: Docket No. 000876-TP (Item 2 - 09/26/00 Agenda Conference) - Request by BellSouth Telecommunications, Inc. for approval of amendments to existing interconnection, unbundling, and resale agreement with Pathnet, Inc. d/b/a Pathnet Communications, Inc.

At the September 26, 2000 Agenda Conference, the Commission approved staff's recommendation to allow BellSouth to amend its existing interconnection, unbundling, and resale agreement with Pathnet, Inc. d/b/a Pathnet Communications, Inc. as a Consent Agenda Item.

After the Commission's vote, staff discovered an error in the title of the above-referenced docket. Specifically, the title referenced approval of amendments to an existing interconnection, unbundling, and resale agreement. Upon review of BellSouth's letter requesting approval of the amendments, staff discovered that the request was for approval of amendments to an interconnection agreement. In light of this discrepancy, staff reviewed BellSouth's original request dated September 8, 1999 and found that BellSouth actually sought approval of a collocation agreement with Pathnet, Inc.

In order to accurately reflect the action being sought in the above-referenced docket, the title should be amended to read as follows: Request by BellSouth Telecommunications, Inc. for approval of amendments to existing collocation agreement with Pathnet, Inc. d/b/a Pathnet Communications, Inc. Because what was presented for vote on September 26, 2000 was not what the utility was actually seeking, the Order cannot be issued and the corrected Consent Agenda item must be voted on again by the Commission. Staff will file the item for the November 7, 2000 agenda conference. Because the Commission will not be able to issue an order in this docket within the time frame specified by § 252(e)(4) of the Telecommunications Act of 1996, staff has obtained a waiver of the time frame from BellSouth and Pathnet.

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Should you have any questions concerning this matter, please contact Lilja Dandelake at 413-6204.

MLD/dm

cc: Division of Records and Reporting (Moses)  
Division of Competitive Services (Arant)

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