

State of Florida



Public Service Commission
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COMMISSION
CLERK

DATE: NOVEMBER 19, 2001

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)

FROM: DIVISION OF LEGAL SERVICES (FORDHAM) *C.F.F.*
DIVISION OF COMPETITIVE SERVICES (BARRETT) *McB*

RE: DOCKET NO. 000731-TP - PETITION BY AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC. D/B/A AT&T FOR ARBITRATION OF CERTAIN TERMS AND CONDITIONS OF A PROPOSED AGREEMENT WITH BELL SOUTH TELECOMMUNICATIONS, INC. PURSUANT TO 47 U.S.C. SECTION 252.

AGENDA: 12/04/01 - REGULAR AGENDA - POST-HEARING DECISION - PARTICIPATION IS LIMITED TO COMMISSIONERS AND STAFF

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\LEG\WP\000731.RCM

CASE BACKGROUND

In its June 16, 2000, Petition for Arbitration, AT&T Communications of the Southern States, Inc. and TCG South Florida (collectively "AT&T") sought resolution of issues in the interconnection negotiations between it and BellSouth Telecommunications Inc. (BellSouth). An administrative hearing was held on February 14-15, 2001. By Order No. PSC-01-1402-FOF-TL, issued June 28, 2001, the Commission rendered its decision in this arbitration.

On July 13, 2001, both AT&T and BellSouth timely filed separate motions for reconsideration of Order No. PSC-01-1402-FOF-TL. On July 25, 2001, BellSouth filed its Memorandum in Opposition to AT&T's Motion for Reconsideration and Cross-Motion for Clarification. On July 30, 2001, BellSouth filed a Motion for

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FPSC-COMMISSION CLERK

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Extension of Time for the filing of the executed agreement. The Reconsideration Motions and related pleadings were addressed in Order No. PSC-01-1951-FOF-TP, issued on September 28, 2001.

On October 29, 2001, BellSouth submitted its petition for approval of its arbitrated interconnection, unbundling and resale agreements with AT&T. Though identical, two separate agreements were filed, one for AT&T Communications of the Southern States, Inc. and the other one for TCG South Florida.

This is staff's recommendation for approval of the respective agreements between BellSouth and AT&T.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission approve the arbitrated interconnection, unbundling and resale agreements between BellSouth and AT&T in Docket No. 000731-TP?

RECOMMENDATION: Yes. The Commission should approve the arbitrated interconnection, unbundling and resale agreements between BellSouth and AT&T in Docket No. 000731-TP. (BARRETT)

STAFF ANALYSIS: In its June 16, 2000, Petition for Arbitration, AT&T sought resolution of numerous issues in the interconnection negotiations between it and BellSouth. The administrative hearing was held on February 14-15, 2001. The parties reached settlement on certain issues prior to the Commission's decision, and in Order No. PSC-01-1402-FOF-TL, issued June 28, 2001, the Commission resolved the remaining issues set forth in this arbitration.

On July 13, 2001, Motions for Reconsideration from both AT&T and BellSouth were filed. On July 25, 2001, BellSouth filed its Memorandum in Opposition to AT&T's Motion for Reconsideration and Cross-Motion for Clarification. On July 30, 2001, BellSouth filed a Motion for Extension of Time for the filing of the executed agreement. The Reconsideration Motions and related pleadings were addressed in Order No. PSC-01-1951-FOF-TP, issued on September 28, 2001.

On October 29, 2001, BellSouth submitted its petition for approval of its arbitrated interconnection, unbundling and resale agreements with AT&T. Though identical, two separate agreements were filed, one for AT&T Communications of the Southern States, Inc. and the other one for TCG South Florida. The agreements are filed pursuant to the Final Orders in this docket, Order Nos. PSC-01-1402-FOF-TL and PSC-01-1951-FOF-TP.

Staff has reviewed the said agreements and believes they comply with the Commission's decisions in Order Nos. PSC-01-1402-FOF-TL and PSC-01-1951-FOF-TP, as well as the Act. Staff, therefore, recommends that the Commission approve BellSouth's arbitrated interconnection, unbundling and resale agreements with AT&T.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, no further action will be required in this docket. Therefore, this docket may be closed. (FORDHAM)

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, no further action will be required in this docket. Therefore, this docket may be closed.

