

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of BellSouth Telecommunications, Inc. for declaratory statement concerning whether requested provision of telecommunications service to Sprint PCS in Macclenny, Florida, which is not in BellSouth's exchange service, violates BellSouth's General Subscriber Service Tariff for the state of Florida.

DOCKET NO. 020415-TL  
ORDER NO. PSC-02-0859-PCO-TL  
ISSUED: June 24, 2002

ORDER GRANTING INTERVENTION

On June 4, 2002, Sprint Corporation, on behalf of its wireless division, Sprint Spectrum, L.P. d/b/a Sprint PCS, (Sprint) filed a petition to intervene in this proceeding. Sprint states that it is a CMRS (Commercial Mobile Radio Service) provider authorized to provide wireless service in Florida and to enter into interconnection agreements for the exchange of traffic with incumbent local exchange companies pursuant to the Telecommunication Act of 1996, 47 U.S.C. § 251 et. seq. BellSouth Telecommunications, Inc. (BellSouth) has not filed a response in opposition to Sprint's petition to intervene.

Sprint states that the subject matter of this declaratory statement concerns Sprint PCS's use of an NXX code that it has rated in Northeast Telephone Company's Macclenny exchange but routed through BellSouth's tandem in BellSouth's Jacksonville exchange. BellSouth has asked the Commission to determine that BellSouth's participation in Sprint's practice violates BellSouth's tariff. Sprint asserts that it has a substantial interest in the proceeding because BellSouth is asking the Commission to make a decision that will directly affect Sprint's ability to efficiently configure its network. Sprint asserts that the Commission's determination will also affect the way Sprint interconnects with BellSouth and other telecommunication carriers in Florida.

Sprint has adequately demonstrated that its substantial interests may be affected in this declaratory statement proceeding. It is therefore,

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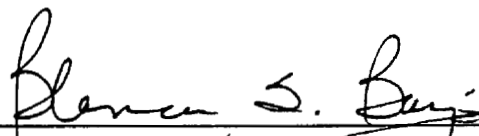
ORDERED by the Florida Public Service Commission that the Petition to Intervene filed by Sprint Corporation, on behalf of its wireless division, Sprint Spectrum, L.P. d/b/a Sprint PCS, is granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Susan S. Masterton  
Sprint  
P. O. Box 2214  
Tallahassee, FL 32316-2214

Monica M. Barone  
Sprint  
6391 Sprint Parkway  
Mail Stop: KSOPHT0101-Z2060  
Overland Park, KS 66251

By ORDER of the Florida Public Service Commission this 24th day of June, 2002.

  
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BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

( S E A L )

MCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.