

State of Florida



Public Service Commission  
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**DATE:** March 7, 2003  
**TO:** Docket File  
**FROM:** Adam Teitzman (Office of the General Counsel) *AT* *3/7/03*  
Jeff Bates (Division of Competitive Markets and Enforcement) *JB*  
**RE:** Docket No. 021204-TP - Request for approval of Amendment No. One to interconnection, unbundling, and resale agreement between Sprint-Florida, Incorporated and Supra Telecommunications and Information Systems, Inc.

By letter dated December 5, 2002, Sprint-Florida, Incorporated (Sprint) filed a request for approval of Amendment No. One to interconnection, unbundling, and resale agreement between Sprint and Supra Telecommunications and Information Systems, Inc.(Supra) Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(e)(4) requires the state to reject or approve the agreement within 90 days after the submission or it shall be deemed approved. The statutory deadline for the Commission to take action on this matter was March 5, 2003.

Staff reviewed the agreement in this Docket on February 25, 2003. By Order No. PSC-99-2227-FOF-TP, issued November 10, 1999, in Docket 991596-TP, the Commission approved adoption of the approved interconnection and resale agreement between Sprint and MCImetro Access Transmission Services, Inc. (Sprint/MCImetro Agreement) by Supra. The underlying Sprint/MCImetro Agreement expired April 7, 2001. Staff notes that in past cases, the Commission has determined that an adopted agreement expires upon expiration of the underlying agreement. However, on February 28, 2003, Sprint filed with the Commission a letter dated July 30, 2002, which clearly indicates the intentions of both parties to continue their obligations under the expired agreement. Furthermore, the United States Bankruptcy Court for the Southern District of Florida, Miami Division, issued a Consent Order in Case No. 02-41250-BKC-RAM, In re: Supra Telecommunications and Information Systems, Inc., which authorized and approved Supra's immediate entry into Amendment No. One.

Upon consideration thereof, the agreement met the criteria outlined in Section 2.07.C.17 of the Administrative Procedures Manual. Therefore it has gone into effect by operation of law in accordance with Section 252(e)(4) of the Telecommunications Act of 1996. Accordingly, with this Memorandum, the docket is hereby closed.

CC: Division of the Commission Clerk and Administrative Services (S. Moses)

*OK*  
*sm*  
*3/7/03*

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