

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for arbitration of interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida and Sprint Communications Company L.P.

DOCKET NO. 100176-TP

In re: Petition for arbitration of interconnection agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida and Sprint Spectrum L.P., Nextel South Corp. and NPCR, Inc. d/b/a Nextel Partners.

DOCKET NO. 100177-TP
ORDER NO. PSC-11-0188-FOF-TP
ISSUED: April 7, 2011

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN

FINAL ORDER GRANTING JOINT MOTION TO
WITHDRAW PETITIONS AND CLOSE DOCKETS

BY THE COMMISSION:

On April 9, 2010, BellSouth Telecommunications, Inc. d/b/a AT&T Florida (“AT&T”) filed petitions for arbitration of its interconnection agreements with Sprint Communications Company, Sprint Spectrum, L.P., Nextel South Corporation, and NPCR, Inc. d/b/a Nextel Partners. The first petition, assigned Docket No. 100176-TP, concerns wireline interconnection and involves only Sprint Communications Company L.P. The second petition, assigned Docket No. 100177-TP, concerns interconnection between AT&T and Sprint’s wireless companies and involves Sprint Spectrum, L.P., Nextel South Corporation, and NPCR, Inc. By Order No. PSC-10-0481-PCO-TP, issued on August 2, 2010, we consolidated Docket Nos. 100176-TP and 100177-TP and established hearing procedures. By Order No. PSC-10-0641-PCO-TP, issued on October 26, 2010, as amended by Order No. PSC-10-0641A-PCO-TP, issued on October 27, 2010, we granted a joint motion to stay these proceedings until January 11, 2011, in order to provide the parties with an opportunity to resolve issues in the dockets. By Order No. PSC-11-0029-PCO-TP, issued on January 13, 2011, we modified the procedural order to reflect a new hearing schedule and related matters. On February 8, 2011, the parties filed a Joint Motion to Withdraw Petitions and to Close Dockets.

In the Joint Motion to Withdraw Petitions and Close Dockets, the parties assert that they have been negotiating with one another, and they have agreed to amend the relevant existing

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interconnection agreements to extend the term until March 1, 2012. The parties state that they want "to terminate all litigation arising from AT&T Florida's April 9, 2010 petitions and to close these arbitration dockets upon the parties' filing of the applicable Amendments to extend their existing interconnection agreements to March 1, 2012." The parties further assert that granting the Joint Motion to Withdraw Petitions and Close Dockets "will allow the Commission to conserve its valuable resources and will not prejudice any party."

We note that the referenced amendments to existing interconnection agreements were filed on February 25, 2011. As such, there is nothing for the parties to litigate at this time and no reason for these dockets to remain open. Thus, the Joint Motion to Withdraw Petitions and Close Dockets shall be granted.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Parties' Joint Motion to Withdraw Petitions is Granted. It is further

ORDERED that these dockets shall be closed.

By ORDER of the Florida Public Service Commission this 7th day of April, 2011.



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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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) 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 and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.