

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REVIEW OF AN AGREEMENT	)	
BETWEEN GTE SOUTH INCORPORATED	)	CASE NO. 99-396
AND TRITEL COMMUNICATIONS, INC.	)	
PURSUANT TO 47 U.S.C. 252(i)	)	

O R D E R

On September 22, 1999, GTE South Incorporated ("GTE") and Tritel Communications, Inc. ("Tritel") submitted to the Commission their negotiated agreement for the interconnection of their networks. Tritel is purporting to adopt the interconnection agreement between GTE and Powertel, Inc. ("Powertel"), which was approved by the Commission in Case No. 98-414.<sup>1</sup> The adoption letter (which appears to comprise the only document memorializing the parties' principal agreement) was negotiated pursuant to the Telecommunications Act of 1996 ( 1996 Act ), 47 U.S.C. Sections 251 and 252. Section 252(e) of the 1996 Act requires the parties to an interconnection agreement adopted by negotiation to submit the agreement for approval to the Commission.

The Commission has reviewed the agreement and finds that no portion thereof discriminates against a telecommunications carrier not a party to the agreement. The Commission is hesitant, however, to find that the implementation of the agreement is

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<sup>1</sup> Case No. 98-414, Approval of the Interconnection Agreement Between GTE South Incorporated and Powertel, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996. (Order dated September 18, 1998).

consistent with the public interest, convenience, and necessity without informing Tritel that it is entitled to adopt the Powertel agreement in its entirety.

Tritel must comply with all relevant Commission mandates for serving in this Commonwealth.

The Commission, having been otherwise sufficiently advised, HEREBY ORDERS that:

1. Subject to Tritel's notification to the Commission within 10 days of the date of this Order that it desires to exercise its legal right to revoke this agreement and adopt the entire Powertel agreement, this agreement negotiated between GTE and Tritel is approved.

2. Tritel shall file a tariff for local service prior to providing local service giving 30 days' notice to the Commission and shall comply with all Commission regulations and orders as directed.

Done at Frankfort, Kentucky, this 14<sup>th</sup> day of December, 1999.

By the Commission

ATTEST:

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Executive Director