

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF e.spire	)	
COMMUNICATIONS, INC. ON BEHALF	)	
OF ITSELF AND ITS OPERATING	)	
SUBSIDIARIES, FOR ARBITRATION OF	)	CASE NO. 2000-034
AN INTERCONNECTION AGREEMENT	)	
WITH BELL SOUTH	)	
TELECOMMUNICATIONS, INC.	)	
PURSUANT TO SECTION 252(b) OF	)	
THE TELECOMMUNICATIONS ACT OF	)	
1996	)	

O R D E R

On August 22, 2000, BellSouth Telecommunications, Inc. ("BellSouth") and e.spire Communications, Inc. ("e.spire") submitted to the Commission their renegotiated agreement for the interconnection of their networks, the unbundling of specific network elements, and the resale of BellSouth's services to e.spire. e.spire had sought arbitration of certain issues; however, the parties were able to reach a negotiated agreement. The 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 of the agreement discriminates against a telecommunications carrier not a party to the agreement. The Commission also finds that the implementation of this renegotiated agreement is consistent with the public interest, convenience, and necessity.

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

1. The renegotiated agreement between BellSouth and e.spire is approved as of the date of this Order, and this proceeding is concluded.

2. Within 10 days of the date of this Order, BellSouth shall file with the Commission a true and complete copy of the agreement approved herein in Microsoft® Word 97 format on 3.5-inch high-density diskette.

Done at Frankfort, Kentucky, this 26<sup>th</sup> day of October, 2000.

By the Commission

ATTEST:

Deputy W. H. Fowler  
Executive Director