

**Docket No. 18498-U**

In Re: CompSouth's Petition for a Ruling Regarding the Need for Public Review and Approval by the Commission of the Telecommunications Service Agreements between BellSouth Telecommunications, Inc., and Dialogica Communications, Inc., CI2, and ABC Telecom

**ORDER ON MOTION FOR CLARIFICATION OF PROCEDURAL MATTER**

BellSouth Telecommunications, Inc. ("BellSouth") filed its Motion for Clarification of Procedural Matter ("Motion for Clarification") on December 21, 2004. The Motion argues that the Georgia Public Service Commission ("Commission") did not specifically remedy a procedural matter previously raised in BellSouth's Motion for Reconsideration, which was filed October 25, 2004. *Motion at 1*. The Commission voted on November 18, 2004 to deny the Motion for Reconsideration in its entirety.

In its Motion for Clarification, BellSouth again states that the Commission failed to properly vote on the issue of whether BellSouth should be required to file the agreements in question. BellSouth notes that the Staff's recommendation that the agreements be filed according to existing procedures for interconnection agreements was qualified by the following language: "*To the extent that the Commission has found that BellSouth's commercial agreements are subject to filing and approval under the Act and/or State law.*" *id. at 2*. (Emphasis added). BellSouth acknowledges that the Commission's intent was to require the agreements be filed, but claims that it does not wish to waive any rights in the absence of an affirmative decision from the Commission. *id. at 3*.

The Commission Staff recommended that the Commission clarify that it is requiring BellSouth to file the agreements for approval. The Staff further recommended that the Commission order BellSouth to file the agreements within seven days from the date the order memorializing its decision is issued.

The Commission finds the Staff's recommendation reasonable. In filing the agreements, BellSouth should follow the procedure outlined in the Commission's October 15, 2004 Order.

\* \* \* \* \*

**WHEREFORE, it is**

**ORDERED**, that BellSouth shall file its commercial agreements with the Commission within seven (7) days.

**ORDERED FURTHER**, that a motion for reconsideration, rehearing, oral argument, or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission.

**ORDERED FURTHER**, that jurisdiction over this matter is expressly retained for the purpose of entering such further Order(s) as this Commission may deem just and proper.

The above by action of the Commission in Administrative Session on the 18<sup>th</sup> day of January 2005.

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Reece McAlister  
Executive Secretary

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Angela Elizabeth Speir  
Chairman

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