

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 17, 2000

IN RE:

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
TARIFF TO OFFER CONTRACT SERVICE
ARRANGEMENT (TN 99-A192-00)**

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**DOCKET NO.
00-00212**

**ORDER GRANTING APPROVAL OF BELLSOUTH
CONTRACT SERVICE ARRANGEMENT (TN 99-A192-00)**

This matter came before the Tennessee Regulatory Authority ("Authority") at a regularly scheduled Authority Conference on April 11, 2000 on the tariff filing of BellSouth Telecommunications, Inc. ("BellSouth") for approval to offer Contract Service Arrangement No. TN 99-A192-00 ("CSA"). BellSouth filed Tariff No. 00-00212 on March 13, 2000, with a proposed effective date of April 12, 2000.

Based upon careful consideration of the tariff filing and the attachments thereto, a majority¹ of the Authority finds and concludes the following:

1. The purpose of this CSA is to provide Native Mode Local Area Network (LAN) Interconnection Service at an overall rate comparable to competitive alternatives.

¹ Directors Greer and Kyle have consistently voted to approve this specific service type of CSA. Director Greer has voted to approve such CSAs because they benefit consumers and comply with BellSouth's tariffs. Director Kyle has stated on the record that the CSAs she votes to approve are a benefit to the consumer who is receiving lower rates and are not harmful to competition. Chairman Malone voted to deny this CSA consistent with both his reasoning and his votes against approval of similar specific service CSAs. Chairman Malone has opined in other dockets that approval of such CSAs without a thorough review and analysis may substantially impede the development of a competitive environment because there is not sufficient information available to determine whether the CSAs may be discriminatory, anticompetitive or in violation of state and/or federal law. Chairman Malone remains of the opinion that termination provisions containing ninety percent (90%) or one-hundred percent (100%) buyout clauses are so potentially anticompetitive as to warrant denial.

This service utilizes high-speed fiber optic data transport for the interconnection of customer-owned LANs at multiple locations or for interconnecting multiple LANs.

2. The term of this CSA is thirty-six (36) months.

3. Through this CSA, BellSouth is offering the customer discounted non-recurring charges and a 13.5% discount off recurring rates for LAN.

4. If the customer disconnects the service prior to the expiration of the term of the CSA, the termination provisions require that the customer pay BellSouth an amount equal to the repayment of the non-recurring charges previously waived and contract preparation fees of \$548.00. If the customer cancels the CSA prior to the expiration of the contract term, the termination provisions require the customer to pay BellSouth ninety percent (90%) of the remaining monthly recurring contract payments for Native Mode Local Area Network Interconnection Service.

5. BellSouth provided an addendum executed by the customer stating that the customer was aware of competitive alternatives available to it in Tennessee and that the customer and BellSouth have agreed on the termination provisions and that the termination charges represent a reasonable estimate of BellSouth's damages in the event of termination.

6. BellSouth supplied cost data which indicates that the price of services offered under the CSA exceed their long-run incremental costs. This data indicates that BellSouth has complied with the statutory price floor established in Tenn. Code Ann. § 65-5-208(c).

7. No parties sought to intervene in this docket.

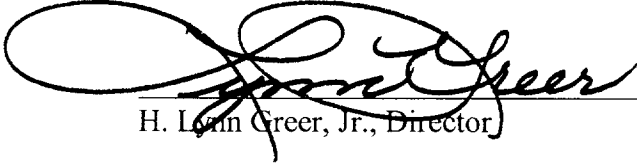
Based upon the foregoing, a majority of the Directors of the Authority determined that the CSA in this docket should be granted.

IT IS THEREFORE ORDERED THAT:

BellSouth Telecommunications, Inc.'s Tariff No. 00-00212, which seeks approval of Contract Service Arrangement No. TN 99-A192-00, is hereby granted.

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Melvin J. Malone, Chairman

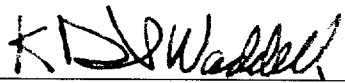


H. Lynn Greer, Jr., Director



Sara Kyle, Director

ATTEST:



K. David Waddell, Executive Secretary

* * * Chairman Malone voted against approval of this specific service CSA.