

SMITH, GAMBRELL & RUSSELL, LLP

ATTORNEYS AT LAW

SUITE 3100, PROMENADE II

1230 PEACHTREE STREET, N.E.

ATLANTA, GEORGIA 30309-3592

ESTABLISHED 1893

TELEPHONE
(404) 815-3500
FACSIMILE
(404) 815-3509
WEBSITE
www.sgrlaw.com

SUITE 800
1850 M STREET, N.W.
WASHINGTON, D.C. 20036
TELEPHONE
(202) 659-2811
FACSIMILE
(202) 659-1462

Stephen M. Forte
(404) 815-3556
Fax (404) 685-6856
sforte@sgrlaw.com

January 13, 2000

VIA FEDERAL EXPRESS

David Wadell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37238

99-00915

Re: *In re: Petition for Arbitration of the Interconnection Agreement Between BellSouth Telecommunications and Tel-Link, LLC and Tel-Link of Florida, LLC; Pursuant to the Telecommunications Act of 1996*

Dear Mr. Wadell:

Enclosed please find the Response by Tel-Link, LLC to Petition of BellSouth Telecommunications for Section 252(b) Arbitration and Request by Tel-Link, LLC for Extension of Time.

With best regards.

Sincerely yours,

SMITH, GAMBRELL & RUSSELL, LLP


Stephen M. Forte

SMF/mgc

Enclosures

cc: Mr. Carson Mundy (via facsimile)
Ms. Michelle McKay (via facsimile)
Thomas B. Alexander, Esq. (via facsimile)

FILE

BEFORE THE
TENNESSEE REGULATORY AUTHORITY

REG. TEL.
REGULATORY AUTH.

'00 JAN 18 AM 11 50

EXECUTIVE SECRETARY

In re:

Petition for Arbitration of the)
Interconnection Agreement Between)
BellSouth Telecommunications and)
Tel-Link, LLC and Tel-Link of)
Florida, LLC; Pursuant to the)
Telecommunications Act of 1996)
_____)

Docket No. 99-00915

RESPONSE BY TEL-LINK, L.L.C. TO PETITION OF BELL SOUTH
TELECOMMUNICATIONS FOR SECTION 252(b) ARBITRATION
AND REQUEST BY TEL-LINK, L.L.C. FOR EXTENSION OF TIME

COMES NOW Tel-Link, L.L.C. ("Tel-Link") and respectfully files this response and further seeks cancellation of the pending CASR schedule in the above-captioned proceeding to allow for an extension of time in the schedule for a period of ninety (90) days. In support of its request, Tel-Link respectfully states as follows:

1.

Tel-Link and BellSouth Telecommunications, Inc. ("BST") failed to reach agreement on their unresolved issues relating to their resale agreement within the statutory time frames. During the negotiation period with BST, Tel-Link entered into negotiations with a prospective purchaser (the "Purchaser") for the sale by Tel-Link to the Purchaser of substantially all of its assets and its business of reselling telephone service. Prior to the end of the negotiation period for the resale agreement with BST, Tel-Link

FILE

advised BST of the negotiations and requested an extension of time for its existing contract. Upon information and belief, BST will not oppose Tel-Link's request, based on BST's lack of opposition to the same request for extension filed by Tel-Link in Florida, before the Florida Public Service Commission.

2.

Subsequent to BST's filing its arbitration request with the Commission, Tel-Link reached an agreement in principle for the sale to the Purchaser of substantially all of its assets and its business of reselling telephone service. Pursuant to Authority regulations, the Purchaser will file the necessary petition for approval of the acquisition.

3.

Owing to the foregoing facts and circumstances, Tel-Link believes that it would not be in either party's best interest to arbitrate the issues which are the subject matter of the above-captioned proceeding. Any arbitration proceedings involving Tel-Link's current operations would not be an efficient use of the Authority's time, as the Purchaser would necessarily require negotiations for a resale agreement governing the acquired business.

FILE

ISSUES FOR ARBITRATION

Pursuant to an identical petition filed by BST before the Florida Public Service Commission and a subsequent issue identification hearing held with respect thereto, the issue for arbitration in this proceeding has been identified by the parties as: What are the appropriate rates, if any, to be charged by BellSouth for Tel-Link's access to and use of the electronic and manual interfaces to BellSouth's OSS and functions?

WHEREFORE, Tel-Link respectfully requests that the Authority cancel the pending CASR schedule in the above-captioned arbitration proceeding and delay further hearings until a reasonable time after the closing of the sale of Tel-Link's resale business to the Purchaser or until the expiration of ninety (90) days from the date hereof, whichever first occurs.

Respectfully submitted,


Stephen M. Forte

Attorneys for Tel-Link, L.L.C.

OF COUNSEL:

SMITH, GAMBRELL & RUSSELL, LLP
Promenade II, Suite 3100
1230 Peachtree Street, NE
Atlanta, Georgia 30309

Corp/641916.1

FILE

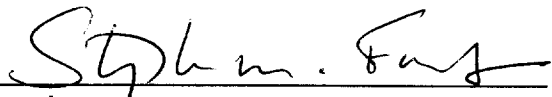
CERTIFICATE OF SERVICE

I, Stephen M. Forte, counsel to Tel-Link, L.L.C. in the foregoing arbitration proceeding, hereby certify that I have this day served a copy of the foregoing on BellSouth Telecommunications, Inc., the petitioner in the foregoing arbitration proceeding, by depositing copies of the same in the United States Mail, postage prepaid, addressed as follows:

Guy M. Hicks
333 Commerce Street
Suite 2101
Nashville, Tennessee 37201-3300

R. Douglas Lackey, Esq.
Thomas B. Alexander, Esq.
General Attorneys
Suite 4300, BellSouth Center
675 West Peachtree Street, N.E.
Atlanta, Georgia 30375

This 14th day of January, 2000.



Stephen M. Forte
Attorney for Tel-Link, L.L.C.