

STATE OF FLORIDA

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DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
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## Public Service Commission

April 9, 2002

Marshall M. Criser III, Vice President Regulatory & External Affairs  
BellSouth Telecommunications, Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, Florida 32301-1556

Docket No. 020315-TP

Dear Mr. Criser:

This will acknowledge receipt of a request for approval of amendment to resale agreement between BellSouth Telecommunications, Inc. and NuStar Communications Corp., which was filed in this office on April 5, 2002, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission

**BellSouth Telecommunications, Inc.**

Suite 400  
150 South Monroe Street  
Tallahassee, FL 32301-1556

marshall.criser@bellsouth.com

**Marshall M. Criser III**

Vice President  
Regulatory & External Affairs

850 224 7798  
Fax 850 224 5073

April 5, 2002

Mrs. Blanca S. Bayo  
Director, Division of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

020315-TP

Re: Approval of Amendment to the Resale Agreement Negotiated by BellSouth Telecommunications, Inc. ("BellSouth") and NuStar Communications, Corp. pursuant to Sections 251, 252 and 271 of the Telecommunications Act of 1996

Dear Mrs. Bayo:

Pursuant to section 252(e) of the Telecommunications Act of 1996, BellSouth and NuStar Communications, Corp. are submitting to the Florida Public Service Commission an amendment to their negotiated agreement for the interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to NuStar Communications, Corp.. The initial agreement between the companies was filed in 011454-TP, on November 1, 2001, and was deemed effective by operation of law on February 1, 2002.

Pursuant to section 252(e) of the Act, the Commission is charged with approving or rejecting this amendment to the negotiated agreement between BellSouth and NuStar Communications, Corp. within 90 days of its submission. The Act provides that the Commission may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity. Both parties agree that neither of these reasons exists as to the agreement they have negotiated and therefore, as such this amendment should be deemed effective by operation of law on July 5, 2002.

Very truly yours,

*Marshall M. Criser III*

Regulatory Vice President (KA)

DOCUMENT NUMBER-DATE

03868 APR-5 2002

FPSC-COMMISSION CLERK

**AMENDMENT  
TO THE  
AGREEMENT BETWEEN  
BELLSOUTH TELECOMMUNICATIONS, INC.  
NUSTAR COMMUNICATIONS, CORPORATION  
DATED AUGUST 28, 2000**

Pursuant to this Amendment, (the "Amendment"), BellSouth Telecommunications, Inc. ("BellSouth") and NuStar Communications, Corporation ("NuStar"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Resale Agreement between the Parties dated August 28, 2001 ("Agreement").

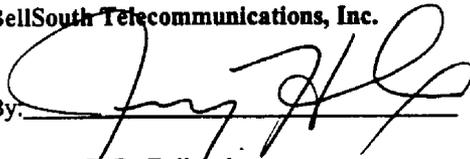
WHEREAS, BellSouth and NuStar entered into the Agreement on August 28, 2001, and;

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. The Parties agree to delete and replace Daily Usage File (DUF) rates currently contained in Attachment 1, Exhibit E attached hereto and incorporated herein by this reference, for the states of Florida, Kentucky, Louisiana, Mississippi and South Carolina as established by the following dockets: Florida Docket No. 990649-TP, Kentucky Administrative Case No. 382, Louisiana Docket No. U-24714-A, Mississippi Docket No. 00-UA-999 and South Carolina Docket No. 2001-65-c, Order No. 2001-1089.
2. The Parties agree that the Effective Date of this Amendment will be thirty (30) calendar days following the date of the last signature executing the Amendment.
3. All of the other provisions of the Agreement, dated August 28, 2000, shall remain in full force and effect.
4. Either or both of the Parties is authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

**BellSouth Telecommunications, Inc.**

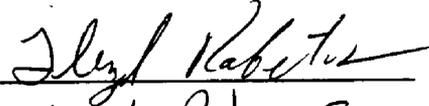
By: 

Name: G. R. Follensbee

Title: Senior Director

Date: 3/8/02

**NuStar Communications, Corporation**

By: 

Name: Lloyd Roberts

Title: President

Date: 3-6-2002

## RESALE DISCOUNTS AND RATES

	ALABAMA	FLORIDA	GEORGIA	KENTUCKY	LOUISIANA	MISSISSIPPI	NORTH CAROLINA	SOUTH CAROLINA	TENNESSEE
RESIDENCE	16.3%	21.83%	20.3%	16.79%	20.72%	15.75%	21.5%	14.8%	16%
BUSINESS	16.3%	16.81%	17.3%	15.54%	20.72%	15.75%	17.6%	14.8%	16%
CSAs*					9.05%			8.98%	
* Unless noted in this row, the discount for Business will be the applicable discount rate for CSAs.									
<u>ELEMENT</u>	<u>USOC</u>								
Electronic LSR	SOME C	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50
Manual LSR	SOMAN	\$19.99	\$19.99	\$19.99	\$19.99	\$19.99	\$19.99	\$19.99	\$19.99
EODUF: Message Processing, per message	\$0.004	\$0.229109	\$0.0034555	\$0.235889	\$0.250015	\$0.250424	\$0.004	\$0.258301	\$0.004
<b>OPTIONAL DAILY USAGE FILE (ODUF)</b>									
ODUF: Recording, per message	\$0.0002	\$0.0000071	\$0.0001275	\$0.0000136	\$0.0000117	\$0.0000063	\$0.0003	\$0.0000216	\$0.0000044
ODUF: Message Processing, per message	\$0.0033	\$0.006835	\$0.0082548	\$0.002506	\$0.004641	\$0.004707	\$0.0032	\$0.004704	\$0.0027366
ODUF: Message Processing, per Magnetic Tape provisioned	\$55.19	\$48.96	\$28.85	\$35.90	\$48.45	\$49.04	\$54.61	\$48.87	\$52.75
ODUF: Data Transmission (CONNECT:DIRECT), per msg	\$0.00004	\$0.00010811	\$0.0000434	\$0.0001037	\$0.00010568	\$0.00010669	\$0.0004	\$0.00010863	\$0.0000339