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Public Service Commission

COMMISSION CLERK

**DATE:** January 8, 2002  
**TO:** Docket File  
**FROM:** Sally Simmons (Division of Competitive Services) *SAS*  
 Kimberley Peña (Division of Legal Services) *KMP*  
**RE:** Docket No. 011363-TP - Request by ITS Telecommunications Systems, Inc. for approval of resale agreement with FLATEL, Inc. d/b/a Florida Telephone Company.

By letter dated October 15, 2001, ITS Telecommunications Systems, Inc. filed a Request for approval of a resale agreement entered into between ITS Telecommunications Systems, Inc. and FLATEL, Inc. d/b/a Florida Telephone Company. Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved. The statutory deadline for the Commission to take action on this matter was January 6, 2002.

Staff reviewed the agreement in this Docket on November 29, 2001. The agreement met the criteria outlined in Section 2.07.C.17 of the Administrative Procedures Manual. Therefore, it has gone into effect by operation of law in accordance with Section 252(e)(4) of the Telecommunications Act of 1996. Accordingly, with this Memorandum, the docket is hereby closed.

*1-8-02*  
*OK*  
*MP*

CC: Division of the Commission Clerk and Administrative Services (S. Moses)

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