

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

RECEIVED- FPSC
AUG 10 AM 10:48

-M-E-M-O-R-A-N-D-U-M-

COMMISSION
CLERK

DATE: August 9, 2004

TO: Docket File

FROM: Jeff Bates (Division of Competitive Markets and Enforcement) *JB*
Dovie Rockette-Gray (Office of the General Counsel) *DRG* **SAS**

RE: Docket No. 040421-TP - Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and DukeNet Communications, LLC.

By letter dated May 5, 2004, BellSouth Telecommunications, Inc. filed a request for approval of the interconnection, unbundling, resale, and collocation agreement with DukeNet Communications, LLC. 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 August 5, 2004.

Staff reviewed the agreement in this Docket on June 3, 2004. The agreement met the criteria outlined in Section 2.07.C.5.d 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.

ok to close 8/10/04 hw

CC: Division of the Commission Clerk and Administrative Services (H. Wong)

DOCUMENT NUMBER-DATE
08687 AUG 10 03
FPSC-COMMISSION CLERK