

ORIGINAL

Matilda Sanders

From: Fatool, Vicki [Vicki.Fatool@BellSouth.COM]
Sent: Wednesday, June 22, 2005 11:32 AM
To: Filings@psc.state.fl.us
Subject: 040779-TP BellSouth's Proposed Stipulated Facts
Importance: High
Attachments: 040779-T.pdf

- A. Vicki Fatool
 Legal Secretary to Nancy B. White
 BellSouth Telecommunications, Inc.
 150 South Monroe Street
 Suite 400
 Tallahassee, Florida 32301
 (305) 347-5560
vicki.fatool@bellsouth.com

- B. Docket No.: 040779-TP – Notice of the Adoption Existing Interconnection, Unbundling, Resale and Collocation Agreement between BellSouth Telecommunications, Inc. and Network Telephone Corporation by Z-Tel Communications, Inc.

- C. BellSouth Telecommunications, Inc.
 on behalf of Nancy B. White and Meredith E. Mays

- D. 5 pages total (including letter, certificate of service, and pleading)

- E. BellSouth Telecommunications, Inc.'s Proposed Stipulated Facts
 .pdf

<<040779-T.pdf>>

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DOCUMENT NUMBER - DATE
 05939 JUN 22 05
 FPSC - COMMUNICATIONS

ORIGINAL

Legal Department

Nancy B. White
General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

June 22, 2005

Mrs. Blanca S. Bayó
Director, Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**Re: Docket No.: 040779-TP
Notice of the Adoption of Existing Interconnection,
Unbundling, Resale and Collocation Agreement between
BellSouth Telecommunications, Inc. and Network Telephone
Corporation by Z-Tel Communications, Inc.**

Dear Ms. Bayó:

Enclosed is BellSouth Telecommunications, Inc.'s Proposed Stipulated Facts, which we ask that you file in the captioned docket. BellSouth's understanding is that, with the exception of paragraph 8, Z-Tel is agreeable to this stipulation.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,


Nancy B. White

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey

DOCUMENT NUMBER-DATE

05939 JUN 22 05

FPSC-COMMUNICATIONS

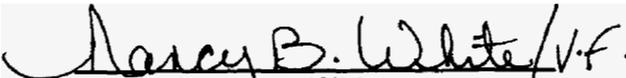
**CERTIFICATE OF SERVICE
DOCKET NO. 040779-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
Electronic Mail and First Class U.S. Mail this 22nd day of June, 2005 to the following:

Jason Rojas
Victor McKay
Staff Counsels
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6393
irojas@psc.state.fl.us
vmckay@psc.state.fl.us

Womble Carlyle Law Firm
Michael B. Hazzard
1401 Eye Street, N.W.
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Washington, D.C. 20005
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mhazzard@wcsr.com

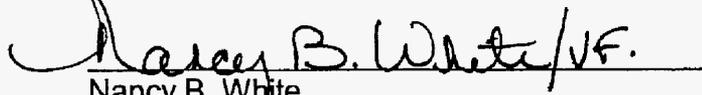
Peggy Rubino
Vice President
Z-Tel Communications, Inc.
601 South Harbour Island Blvd.
Suite 220
Tampa, FL 33602-5706
Tel. No. (813) 233-4628
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Nancy B. White

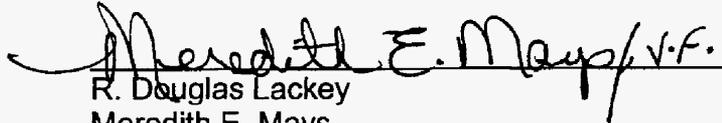
8. During these discussions, BellSouth requested that Z-Tel negotiate an Interconnection Agreement or adopt an existing Interconnection Agreement that was compliant with current law.
9. On July 22, 2004, Z-Tel filed a notice with this Commission that it had adopted the interconnection agreement between BellSouth and Network Telephone in its entirety.
10. BellSouth did not agree to Z-Tel's adoption and BellSouth objected to that adoption with this Commission.
11. In early August 2004, BellSouth indicated it would agree to Z-Tel's adoption of the Network Telephone and BellSouth Interconnection Agreement if Z-Tel agreed to replace in its entirety Attachment 2, UNEs, of the Network Telephone and BellSouth Interconnection Agreement.
12. Network Telephone and BellSouth continue to operate under the same interconnection agreement that Z-Tel adopted.
13. The last amendment to the interconnection agreement between BellSouth and Network Telephone is dated May 20, 2005 and was effective May 24, 2005. The BellSouth/Network Telephone agreement has not been amended to reflect the *Triennial Review Order* or the *Triennial Review Remand Order*.

Respectfully submitted this 22nd day of June, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

Handwritten signature of Nancy B. White in cursive, followed by a horizontal line.

Nancy B. White
c/o Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301
Tel. No. (305) 347-5558

Handwritten signature of Meredith E. Mays in cursive, followed by a horizontal line.

R. Douglas Lackey
Meredith E. Mays
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Atlanta, GA 30375
(404) 335-0750

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