

080628-TP

Ruth Nettles

From: Cooper, Roberta G [EQ] [Roberta.G.Cooper@Embarq.com]
Sent: Tuesday, October 07, 2008 11:27 AM
To: Filings@psc.state.fl.us
Cc: Susan Masterton
Subject: 070239-TP Amendment No. 1
Attachments: 070239-TP Amendment No 1.pdf

Filed on Behalf of: Susan S. Masterton
Senior Counsel
Embarq Florida, Inc.
1313 Blair Stone Road
Tallahassee, FL 32301
Telephone: 850/599-1560
Email: susan.masterton@embarq.com

Docket No. ___ 070239-TP ___
Title of filing: ___ Amendment No. 1 ___
Filed on behalf of: Embarq
No of pages: ___ 3 ___
Description: ___ Amendment No.1 ___



Roberta G. Cooper
Legal Specialist
EMBARQ

Voice: 850-599-1563 | Fax: 850-878-0777
10/7/2008

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FPSC-COMMISSION CLERK

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Email: Roberta.G.Cooper@embarq.com

1313 Blair Stone Road | Tallahassee, Florida 32301

Mailstop: FLTLHO0201

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Embarq
Mailstop: FTLHO0102
1313 Blair Stone Rd.
Tallahassee, FL 32301
EMBARQ.com

October 7, 2008

FILED ELECTRONICALLY

Ms. Ann Cole
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket Number 070239-TP, Master Resale Agreement with NuVox
Communications, Inc. and Embarq Florida, Inc. -Amendment No. 1

Dear Ms. Cole:

Attached please find for approval and filing Amendment No. 1 to the Master Resale Agreement between Embarq and Ernest Communications, Inc., which was approved in Docket Number 070239-TP on April 3, 2007.

If you have any questions on this matter, please contact Roberta Cooper at 850-599-1563.

Sincerely,

s/ Susan S. Masterton
Susan S. Masterton

Susan S. Masterton
SENIOR COUNSEL
LAW AND EXTERNAL AFFAIRS REGULATORY
Voice: (860) 599-1560
Fax: (860) 878-0777

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**AMENDMENT NO. 1 TO THE
INTERCONNECTION, COLLOCATION AND RESALE AGREEMENT
BETWEEN
NUVOX COMMUNICATIONS
AND
EMBARQ- FLORIDA, INCORPORATED**

This Amendment is made August 6, 2008, by and between NuVox Communications, Inc. ("CLEC") and Embarq – Florida, Incorporated ("Embarq"), a Florida corporation.

1. BACKGROUND

CLEC and Embarq entered into an Interconnection Agreement ("Agreement") on March 20, 2007 for the state of Florida.

CLEC and Embarq desire to modify the Agreement to incorporate terms, conditions and rates for existing collocations.

In consideration of the terms and conditions contained in this Amendment No. 1, the Parties agree to add the following to the agreement:

2. TERMS AND CONDITIONS

For CLEC's collocation arrangements that were installed by Embarq prior to the effective date of the Agreement the following terms, conditions and rates shall apply in addition to those collocation terms in Part K.

In the event CLEC desires to decommission the use of the Collocation Space in a manner that requires additional engineering or preparation work by Embarq, CLEC will complete a subsequent Application (augment request) detailing all information regarding the modification to the Collocation Space. Embarq will perform the work to decommission CLEC's collocation arrangement that was installed by Embarq.

Five (5) pre-existing collocation arrangements exist that are provisioned by Embarq and all materials are provided by Embarq at the time of this amendment:

- Altamonte Springs, FL – ALSPFLXADS0 - Circuit ID: 85.RLFS.390781..UFLG
- Goldenrod, FL – GLRDFLXADS0 – Circuit ID: 85.RLFS.390785..UFLG
- Kissimmee, FL – KSSMFLXAPS0 – Circuit ID: 85.RLFS.390791..UFLG
- Maitland, FL – MTLDFLXARPO - Circuit ID: 85.RLFS.390834..UFLG
- Winter Park, FL – WNPKFLXAPS0 - Circuit ID: 85.RLFS.390792..UFLG

Table 2 Amendment for Embarq provisioned arrangements

Rate Element Description	Non-Residential (NRS)	Monthly Billing Rate
Cross Connect Facilities		
Co-Carrier DS3 Direct Cabling (per DS3 in 12-pack increments)	-	\$18.41
Co-Carrier DS1 Direct Cabling (per DS1 in 28-pack increments)	-	\$8.34

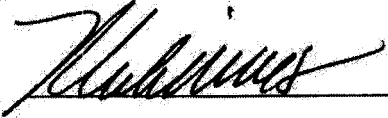
3. GENERAL


- A. Other than as set forth above, the Agreement remains unchanged and in full force and effect.
- B. Except as otherwise indicated defined terms in this Amendment have the same meaning as in the Agreement.
- C. This Amendment No. 1 executed by authorized representatives of Embarq and CLEC is made a part of and incorporates the terms and conditions of the Agreement.

IN WITNESS WHEREOF, the Parties have executed this Addendum No. 1 the year and day first written above.

EMBARQ

CLEC

By: 

By: 

Name (typed): Michael R. Hunsucker

Name (typed): Susan J. Berlin

Title: Director – Contract Management

Title: VP, Senior Regulatory Counsel

Date: 9-25-08

Date: 9-19-08