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Legal Department

MICHAEL P. GOGGIN  
General Attorney

60 FEB 21 PM 4:26

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(305) 347-5561

RECORDS AND  
REPORTING

February 21, 2000

Mrs. Blanca S. Bayó  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 990874-TP (US LEC Complaint)

Dear Ms. Bayó:

On February 18, 2000, BellSouth Telecommunications, Inc. filed the Rebuttal Testimony of Jerry Hendrix. Attached to that testimony was Exhibit JDH-1, however that exhibit was mislabeled with the wrong docket number. In that regard, I have enclosed an original and fifteen copies of a corrected exhibit JDH-1 to Mr. Hendrix's Rebuttal Testimony, which we ask that you file in the above-referenced matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

*Michael P. Goggin*  
Michael P. Goggin (PW)

AFA	_____	cc: All Parties of Record
APP	_____	Marshall M. Criser III
CAF	_____	R. Douglas Lackey
CMU	_____	Nancy B. White
CTR	_____	
EAG	_____	
LEG	_____	
MAS	_____	
OPC	_____	
RRR	_____	
SEC	_____	
VAW	_____	
OTH	_____	

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**Bellsouth Interconnection Services**

675 West Peachtree Street  
Room 34891  
Atlanta, Georgia 30375

Ida M. Bourne  
(404) 527-7511  
Fax: (404) 529-7039

June 30, 1999

**VIA FACSIMILE AND FEDERAL EXPRESS**

Gary D. Grefrath  
Executive Vice President  
US LEC Corp.  
Transamerica Square  
401 North Tryon Street  
Suite 1000  
Charlotte, NC 28202

Dear Mr. Grefrath:

This letter is in response to US LEC's refusal to sign an amendment to its adoption of the Intermedia Communications, Inc. ("ICI") Interconnection Agreement, dated July 1, 1996, to correct erroneous rates inserted into the ICI Agreement via the Amendment dated June 3, 1998, until such time as ICI amends the Agreement to correct the error. Bellsouth and ICI are working on an Amendment at this time. Bellsouth requests that US LEC agree, in writing, to sign an amendment to correct this error upon execution of the Amendment by ICI.

The rates in the June 3, 1998, amendment, were intended by both parties to the Agreement to reflect PSC-ordered rates for all elements (where applicable). However, incorrect rates for End Office Interconnection/Switching, per minute of use, were included for the states of Florida, Louisiana, and Mississippi. The relevant portions of the orders by the Florida Public Service Commission in Dkt. Nos. 960833-TP, 960846-TP, and 960916-TP, by the Louisiana Public Service Commission in Dkt. Nos. U-22022/22093, and by the Mississippi Public Service Commission in Dkt. No. 96-AD-0559 are attached.

The inclusion of rates other than commission approved rates was an error and does not reflect the intentions of either Bellsouth or ICI. Therefore, Bellsouth requests that US LEC formally state its intention to sign an amendment to correct these rates after ICI does so. Please sign this letter and return it to me via fax and overnight mail.

Mr. Gary D. Grafrath  
US LEC Corp.  
June 30, 1999

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If you have any questions or concerns regarding this issue, please call me.

Sincerely,

*Ida M. Bourne*

Ida M. Bourne  
Manager, Interconnection Services

cc: Aaron D. Cowell, Jr., EVP and General Counsel, US LEC  
Richard A. Dander, Director of Industry Relations, US LEC  
Jerry Hendrix, Senior Director, BellSouth  
Mary Jo Peed, Esq., BellSouth  
Parkey Jordan, Esq., BellSouth

Attachments:

- Excerpts from the FPSC Order No. PSC-96-1579-FOF-TP (2 pages)
- Excerpts from the LPSC Order No. U-22022/22093-A (3 pages)
- Excerpts from the MPSC Order Dated May 8, 1997, in Dkt.No.96-AD-0559 (3 pages)

By signature on this letter, US LEC agrees to sign an amendment to correct the End Office Interconnection/Switching, per minute of use, rate element for the states of Florida, Mississippi and Louisiana, contained within the June 3, 1998, amendment to the ICI Agreement within 5 business days of notification by BellSouth of the execution by both ICI and BellSouth of an amendment to correct this rate element.

AGREED:  
US LEC Corp.

By: *Gary D. Grafrath*

Title: *EVP. Admin*

Date: *6-30-99*

**CERTIFICATE OF SERVICE**  
**Docket No. 990874-TP (US LEC Complaint)**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via


U.S. Mail this 21st day of February, 2000 to the following:

Donna Clemons  
Staff Counsel  
Florida Public Service  
Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

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Michael P. Goggin (PW)