

ORIGINAL



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January 31, 2001

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

RECEIVED FPSC
01 JAN 31 PM 4:41
RECORDS AND REPORTING

Re: Docket No. 001775-TP Avana Communications Corporation d/b/a AvanaCom

Dear Ms. Bayó:

Pursuant to Staff's request, please find for filing a revised copy of the Notice of Adoption dated December 8, 2000, and revised pages of the Agreement to reflect Avana Communications Corporation d/b/a AvanaCom in Docket No. 001775-TP.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning the same to this writer.

Thank you for your assistance in this matter.

Sincerely,

Susan S. Masterton

SSM/th

Enclosures

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01462 JAN 31 01
FPSC-RECORDS/REPORTING



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December 8, 2000

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

RE: Notice of Adoption of Dieca Communications, Inc. d/b/a Covad
Communications Company/Sprint Interconnection, Unbundling, Resale
and Collocation Agreement by Avana Communications Corporation d/b/a
AvanaCom

Dear Ms. Bayó:

Sprint-Florida, Incorporated hereby provides notice to the Florida Public Service Commission of the adoption by Avana Communications Corporation, of the Interconnection, Unbundling, Resale and Collocation Agreement for the State of Florida entered into by and between Sprint-Florida Incorporated and Dieca Communications, Inc. d/b/a Covad Communications Company, Inc. in Docket No. 991403-TP which was approved by the Commission on November 8, 1999. Avana Communications Corporation d/b/a AvanaCom, is adopting the agreement as provided by Section 252(i) of the Telecom Act of 1996. Enclosed is the original signed and five (5) copies of the agreement between Sprint-Florida and Avana Communications Corporation d/b/a AvanaCom, for your records.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me at (850) 599-1560.

Sincerely,

Susan S. Masterton

Enclosures

DOCUMENT NUMBER-DATE

01462 JAN 31 2001

FPSC-RECORDS REPORTING

Master Network Interconnection and Resale Agreement

This Master Network Interconnection and Resale Agreement ("Agreement") between Avana Communications Corporation d/b/a AvanaCom ("CLEC") and Sprint – Florida, Incorporated ("Sprint"), herein collectively, "the Parties", is entered into and effective this 2nd day of November, 2000 for the State of Florida.

NOW THEREFORE, the Parties agree as follows:

The Parties agree that the Agreement between the Parties shall consist of the Interconnection and Resale Agreement for the State of Florida entered into by and between Sprint and DIECA Communications, Inc. d/b/a Covad Communications Company ("Covad"), including any amendments entered into as of the date hereof (the "Adopted Agreement") amended as follows:

TERM:

This Agreement shall be in force for the period commencing with the date set forth above and continuing until the 31st day of July, 2001.

CONDITIONS:

All services provided under this Agreement will be consistent with the decisions of courts having jurisdiction over this Agreement, including but not limited to the decisions of the Court of Appeals and the United States Supreme Court.

On July 18, 2000, the United States Court of Appeals for the Eighth Circuit issued a decision in Iowa Utilities Board v. FCC, Case No. 96-3321 (the "Eighth Circuit Decision") which, among other things, vacated FCC rules 47 CFR §51.505(b)(1) and 51.609. The Eighth Circuit Decision affects certain provisions of the Adopted Agreement, including many of the rates and the wholesale discount(s) contained in the Adopted Agreement.

Pursuant to the Adopted Agreement, either Party may require that the affected provisions of the Adopted Agreement be renegotiated in good faith and amended to reflect the Eighth Circuit Decision, effective as of the effective date of such Decision. Since the Agreement consists of the same terms as the Adopted Agreement, the Parties hereto acknowledge that the rates and terms in the Agreement that are likewise affected by the Eighth Circuit Decision shall be treated as interim, subject to true-up to the effective date of the Eighth Circuit Decision.

NOTICES:

Except as otherwise provided, all notices and other communication hereunder shall be deemed to have been duly given when made in writing and delivered in person or deposited in the United States mail, certified mail, postage paid, return receipt requested and addressed as follows: