

# BELLSOUTH ORIGINAL

BellSouth Telecommunications, Inc.  
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September 25, 2001

Mrs. Blanca S. Bayo  
Director, Division of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

RECEIVED: FPSC  
01 SEP 25 PM 4:11  
COMMISSION  
CLERK

Re: Approval of an Amendment to the Adopted Interconnection, Unbundling, Resale and Collocation Agreement Negotiated by BellSouth Telecommunications, Inc. ("BellSouth") and Atlantic.net Broadband, Inc. pursuant to Sections 251, 252 and 271 of the Telecommunications Act of 1996

011259-TP

Dear Mrs. Bayo:

Pursuant to section 252(e) of the Telecommunications Act of 1996, BellSouth and Atlantic.net Broadband, Inc. are submitting to the Florida Public Service Commission an amendment to their negotiated agreement for the interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to Atlantic.net Broadband, Inc. . The initial agreement between the companies was filed in Docket 010291-TP and was deemed effective by Order No. PSC-01-1112-FOF-TP on May 15, 2001. This amendment terminates Atlantic.net Broadband, Inc.'s adoption of the BellSouth /Empire Telecom, Inc. agreement, in lieu of a new agreement.

Pursuant to section 252(e) of the Act, the Commission is charged with approving or rejecting this amendment to the negotiated agreement between BellSouth and Atlantic.net Broadband, Inc. within 90 days of its submission. The Act provides that the Commission may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity. Both parties aver that neither of these reasons exist as to the agreement they have negotiated and therefore, are very hopeful that the Commission shall approve their agreement.

Very truly yours,

*Marshall M. Criser III*

Regulatory Vice President (KA)

RECEIVED & FILED

*RLM*

DOCUMENT NUMBER-DATE

FPSC-BUREAU OF RECORDS

12097 SEP 25 01

FPSC

**ATTACHMENT TO TRANSMITTAL LETTER**

The Agreement entered into by and between Atlantic.net Broadband, Inc. and BellSouth Telecommunications, Inc., dated February 19, 2001 for the states of Florida and South Carolina consists of the following:

ITEM	NO. PAGES
Amendment	1
TOTAL	1

**AMENDMENT  
TO THE  
AGREEMENT BETWEEN  
ATLANTIC.NET BROADBAND, INC.  
BELL SOUTH TELECOMMUNICATIONS, INC.  
DATED FEBRUARY 19, 2001**

Pursuant to this Agreement, (the "Amendment"), Atlantic.net Broadband, Inc. ("Atlantic.net"), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated February 19, 2001 ("Agreement").

WHEREAS, BellSouth and Atlantic.net entered into an Interconnection Agreement on February 19, 2001, and;

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. Section 2.1 of the General Terms and Conditions is hereby amended to delete the states of Florida and South Carolina. This Agreement no longer applies to the states of Florida and South Carolina. The Parties have entered into another Agreement for the states of Florida and South Carolina dated July 27, 2001.

2. All of the other provisions of the Agreement, dated February 19, 2001, shall remain in full force and effect.

3. Either or both of the Parties is authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

**Atlantic.net Broadband, Inc.**

By: J. Neal Hiscock

Name: J. S. Hiscock

Title: Carrier Relations Manager

Date: 8/2/2001

**BellSouth Telecommunications, Inc.**

By: C. W. Boltz

Name: C. W. Boltz

Title: Managing Director

Date: 8-2-01