



Public Service Commission

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DATE: October 4, 2001
 TO: Docket File
 FROM: Kim Logue (Division of Competitive Services) *KL*
 Kimberley Peña (Division of Legal Services) *KMP*
 RE: Docket No. #010945-TP Request for approval of two amendments to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch.

By letter dated July 6, 2001, BellSouth Telecommunications, Inc. filed a Request for approval of two amendment to interconnection, unbundling, resale and collocation agreement entered into between BellSouth Telecommunications, Inc. and Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch. Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved. The statutory deadline for the Commission to take action on this matter was October 4, 2001.

Staff reviewed the agreement in this Docket on July 11, 2001. The agreement met the criteria outlined in Section 2.07.C.17 of the Administrative Procedures Manual. Therefore, it has gone into effect by operation of law in accordance with Section 252(e)(4) of the Telecommunications Act of 1996. Accordingly, with this Memorandum, the docket is hereby closed.

CC: Records & Reporting (S. Moses)

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