

State of Florida
-M-E-M-O-R-A-N-D-U-M-



Public Service Commission

FILED IN TP-FPSC
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COMMISSION
CLERK

DATE: January 31, 2002
TO: Docket File
FROM: Sally Simmons (Division of Competitive Markets and Enforcement) *SAS*
Kimberley Peña (Division of Legal Services) *KMP*
RE: Docket No. 011436-TP - Petition by BellSouth Telecommunication, Inc. for approval of amendment to existing interconnection, unbundling, resale, and collocation agreement with XSPEDIUS Corp.

By letter dated October 31, 2001, BellSouth Telecommunications, Inc filed a Request for approval of an amendment to existing interconnection, unbundling, resale, and collocation agreement entered into between BellSouth Telecommunications, Inc. and XSPEDIUS Corp.. 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 January 31, 2002.

Staff reviewed the agreement in this Docket on December 3, 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: Division of the Commission Clerk and Administrative Services (S. Moses)

*OK
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1/31/02*

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