

State of Florida
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Public Service Commission

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DATE: August 16, 2002
TO: Docket File
FROM: Sally Simmons (Division of Competitive Markets and Enforcement) *SAS*
Jessica Elliott (Office of the General Counsel) *JAE MLC*
RE: Docket No. 020441-TP - Request for approval of interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Essex Communications, Inc. d/b/a eLEC Communications.

By letter dated May 16, 2002, BellSouth Telecommunications, Inc. filed a request for approval of interconnection, unbundling, resale, and collocation agreement with Essex Communications, Inc. d/b/a eLEC Communications. 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 August 14, 2002.

Staff reviewed the agreement in this Docket on August 9, 2002. 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.

Allowing this agreement to go into effect should not be construed as a determination by the Commission that BellSouth has met the requirements of Section 271 of the Act.

CC: Division of the Commission Clerk and Administrative Services (S. Moses)

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