

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



Public Service Commission

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COMMISSION
CLERK

FPSC

DATE: September 19, 2002
TO: Docket File
FROM: Sally Simmons (Division of Competitive Markets and Enforcement) *SAS*
Jessica Elliott (Office of the General Counsel) *JAE BLC*
RE: Docket No. 020511-TP - Request for approval of amendment to existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Mpower Communications Corp.

By letter dated June 12, 2002, BellSouth Telecommunications, Inc. filed a request for approval of amendment to existing interconnection, unbundling, resale, and collocation agreement with Mpower Communications 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 September 10, 2002.

Staff reviewed the agreement in this Docket on August 28, 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.

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

*OK
SM
9/20/02*

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