State of Florida

Public Service Commission

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-M-E-M-O-R-A-N-D-U-M-

DATE:	May 3, 2004
TO:	Docket File
FROM:	Jeff Bates (Division of Competitive Markets and Enforcement)
Victor McKay (Office of the General Counsel) VSM
RE:	Docket No. 040089-TP - Notice of adoption, with modifications, of existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and MCI WorldCom Communications, Inc. by AboveNet Communications, Inc.

By letter dated January 30, 2004, BellSouth Telecommunications, Inc. filed a request for approval of adoption, with modifications, of existing interconnection, unbundling, resale, and collocation agreement between BellSouth and MCI WorldCom Communications, Inc. which was approved by the Commission in Docket No. 000649-TP. AboveNet Communications, Inc. is adopting the interconnection, unbundling, resale, and collocation agreement approved by the Commission in its entirety pursuant to Section 252(i) of the Telecommunications Act of 1996.

Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(i) requires that a local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved by the state commission to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement in its entirety.

Staff reviewed the agreement in this Docket on April 6, 2004. The filing met the criteria outlined in Section 2.07.C.5.b of the Administrative Procedures Manual in that it complies with Section 252(i) of the Act. Accordingly, with this Memorandum, the docket is hereby closed.

OK to close
5/03/04

CC: Division of the Commission Clerk and Administrative Services (H. Wong)