

**BellSouth Telecommunications, Inc.**  
**Regulatory & External Affairs**  
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**Marshall M. Criser III**  
Vice President  
Regulatory & External Affairs

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June 14, 2004

Mrs. Blanca S. Bayo  
Director, Division of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

RECEIVED-TPSC  
04 JUN 14 PM 4:38  
COMMISSION  
CLERK

Re: Approval of Amendment to the Interconnection, Unbundling, Resale and Collocation Agreement between BellSouth Telecommunications, Inc. ("BellSouth") and Birch Telecom of the South, Inc d/b/a Birch Telecom d/b/a Birch

Dear Mrs. Bayo:

Please find enclosed for filing and approval, the original and two copies of BellSouth Telecommunications, Inc.'s Amendment to Interconnection, Unbundling, Resale and Collocation Agreement with Birch Telecom of the South, Inc d/b/a Birch Telecom d/b/a Birch

If you have any questions, please do not hesitate to call Robyn Holland at (850) 222-9380.

Very truly yours,

*Marshall M. Criser III*  
Regulatory Vice President  
RH

RECEIVED & FILED  
*Jh*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
06578 JUN 14 3  
FPSC-COMMISSION CLERK

**Amendment to the Agreement  
Between  
Birch Telecom of the South, Inc.  
and  
BellSouth Telecommunications, Inc.  
Dated July 14, 2000**

Pursuant to this Amendment, (the "Amendment"), Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch ("Birch") on behalf of itself and its certificated operating affiliates identified in Part C hereof, and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated July 14, 2000 ("Agreement") to be effective upon the date of the last signature executing the Amendment.

WHEREAS, BellSouth and Birch entered into the Agreement on July 14, 2000,  
and;

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. The parties agree to add the following provision to Attachment 2, Section 3.3.1 and the associated rates as set forth in Exhibit 1 of this Amendment, attached hereto and incorporated herein by this reference.
- 3.3.1.1 Where Birch utilizes portions of the BellSouth network in originating or terminating traffic, the Tandem Switching rates are applied in call scenarios where the Tandem Switching Network Element has been utilized. Because switch recordings cannot accurately indicate on a per call basis when the Tandem Switching Network Element has been utilized for an interoffice call originating from a UNE port and terminating to a BellSouth, Independent Company or Facility-Based CLEC office, BellSouth has developed, based upon call studies, a melded rate that takes into account the average percentage of calls that utilize Tandem Switching in these scenarios. BellSouth shall apply the melded Tandem Switching rate for every call in these scenarios. BellSouth shall utilize the melded Tandem Switching Rate until BellSouth has the capability to measure actual Tandem Switch usage in each call scenario specifically mentioned above, at which point the rate for the actual Tandem Switch usage shall apply. The UNE Call Flows set forth on BellSouth's website, as amended from time to time and incorporated herein by this reference, illustrate when the full or melded Tandem Switching rates apply for specific scenarios.
2. All of the other provisions of the Agreement, dated July 14, 2000, shall remain in full force and effect.
3. Either or both of the Parties are authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

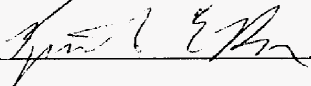
**PART C**

Schedule of Birch Telecom of the South, Inc. (Birch) Operating Affiliates

- Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch – FL  
Birch Telecom of the South, Inc. – AL, GA, KY, LA, MS, NC, SC and TN

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year written below.

**BellSouth Telecommunications, Inc.**

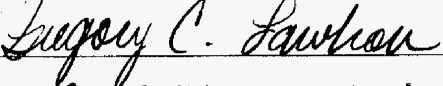
By: 

Name: Kristen E. Rowe

Title: Director

Date: 5/28/04

**Birch Telecom of the South, Inc.**

By: 

Name: GREGORY C. LAWHON

Title: SVP

Date: 5/27/04

UNBUNDLED NETWORK ELEMENTS - Alabama										Attachment: 2		Exhibit: C				
CATEGORY	RATE ELEMENTS	Interim	Zone	BCS	USOC	RATES (\$)				Svc Order Submitted Elec per LSR	Svc Order Submitted Manually per LSR	Incremental Charge - Manual Svc Order vs. Electronic-1st	Incremental Charge - Manual Svc Order vs. Electronic-Add'l	Incremental Charge - Manual Svc Order vs. Electronic-Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic-Disc Add'l	
						Rec	Nonrecurring		Nonrecurring Disconnect		OSS Rates (\$)					
							First	Add'l	First	Add'l	SOME C	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
<b>UNBUNDLED LOCAL SWITCHING, PORT USAGE</b>																
	Tandem Switching (Port Usage) (Local or Access Tandem)															
	Tandem Switching Function Per MOU (Melded)					0.000040993										
	Tandem Trunk Port - Shared, Per MOU (Melded)					0.000086947										
	Melded Factor: 43.15% of the Tandem Rate															

UNBUNDLED NETWORK ELEMENTS - Florida										Attachment: 2		Exhibit: C			
CATEGORY	RATE ELEMENTS	Interi...	Zone	BCS	USOC	RATES (\$)				Svc Order Submitted Elec per LSR	Svc Order Submitted Manually per LSR	Incremental Charge - Manual Svc Order vs. Electronic-1st	Incremental Charge - Manual Svc Order vs. Electronic-Add'l	Incremental Charge - Manual Svc Order vs. Electronic-Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic-Disc Add'l
						Rec	Nonrecurring		Nonrecurring Disconnect						
							First	Add'l	First	Add'l	SOME C	SOMAN	SOMAN	SOMAN	SOMAN
<b>UNBUNDLED LOCAL SWITCHING, PORT USAGE</b>															
	Tandem Switching (Port Usage) (Local or Access Tandem)														
	Tandem Switching Function Per MOU (Melded)					0.000027185									
	Tandem Trunk Port - Shared, Per MOU (Melded)					0.000048434									
	Melded Factor: 20.61% of the Tandem Rate														

UNBUNDLED NETWORK ELEMENTS - Georgia										Attachment: 2		Exhibit: C			
CATEGORY	RATE ELEMENTS	Interim	Zone	BCS	USOC	RATES (\$)				Svc Order Submitted Elec per LSR	Svc Order Submitted Manually per LSR	Incremental Charge - Manual Svc Order vs. Electronic-1st	Incremental Charge - Manual Svc Order vs. Electronic-Add'l	Incremental Charge - Manual Svc Order vs. Electronic-Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic-Disc Add'l
						Rec	Nonrecurring		Nonrecurring Disconnect						
							First	Add'l	First	Add'l	SOME C	SOMAN	SOMAN	SOMAN	SOMAN
<b>UNBUNDLED LOCAL SWITCHING, PORT USAGE</b>															
	<b>Tandem Switching (Port Usage) (Local or Access Tandem)</b>														
	Tandem Switching Function Per MOU (Melded)					0.000017904									
	Tandem Trunk Port - Shared, Per MOU (Melded)					0.00002868									
	Melded Factor: 18.42% of the Tandem Rate														

UNBUNDLED NETWORK ELEMENTS - Kentucky										Attachment: 2		Exhibit: C							
CATEGORY	RATE ELEMENTS	Interim	Zone	BCS	USOC	RATES (\$)	Svc Order Submitted Elec per LSR	Svc Order Submitted Manually per LSR	Incremental Charge - Manual Svc Order vs. Electronic-1st	Incremental Charge - Manual Svc Order vs. Electronic-Add'l	Incremental Charge - Manual Svc Order vs. Electronic-Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic-Disc Add'l	OSS Rates (\$)						
													Rec	Nonrecurring		Nonrecurring Disconnect		SOME C	SOMAN
<b>UNBUNDLED LOCAL SWITCHING, PORT USAGE</b>																			
	<b>Tandem Switching (Port Usage) (Local or Access Tandem)</b>																		
	Tandem Switching Function Per MOU (Melded)					0.000094381													
	Tandem Trunk Port - Shared, Per MOU (Melded)					0.000117538													
	Melded Factor: 48.65% of the Tandem Rate																		



UNBUNDLED NETWORK ELEMENTS - Louisiana									Attachment: 2		Exhibit: C					
CATEGORY	RATE ELEMENTS	Inter	Zone	BCS	USOC	RATES (\$)				Svc Order Submitted Elec per LSR	Svc Order Submitted Manually per LSR	Incremental Charge - Manual Svc Order vs. Electronic-1st	Incremental Charge - Manual Svc Order vs. Electronic-Add'l	Incremental Charge - Manual Svc Order vs. Electronic-Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic-Disc Add'l	
						Rec	Nonrecurring		Nonrecurring Disconnect		OSS Rates (\$)					
							First	Add'l	First	Add'l	SOME C	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
<b>UNBUNDLED LOCAL SWITCHING, PORT USAGE</b>																
	<b>Tandem Switching (Port Usage) (Local or Access Tandem)</b>															
	Tandem Switching Function Per MOU (Melded)															
	Tandem Trunk Port - Shared, Per MOU (Melded)															
	Melded Factor: 33.08% of the Tandem Rate															
						0.000035296										
						0.000073438										

UNBUNDLED NETWORK ELEMENTS - Mississippi						Attachment: 2		Exhibit C							
CATEGORY	RATE ELEMENTS	Interi	Zone	BCS	USOC	RATES (\$)				Svc Order Submitted Elec per LSR	Svc Order Submitted Manually per LSR	Incremental Charge - Manual Svc Order vs. Electronic-1st	Incremental Charge - Manual Svc Order vs. Electronic-Add'l	Incremental Charge - Manual Svc Order vs. Electronic-Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic-Disc Add'l
						Rec	Nonrecurring		Nonrecurring Disconnect						
						First	Add'l	First	Add'l	SOME C	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
<b>UNBUNDLED LOCAL SWITCHING, PORT USAGE</b>															
	Tandem Switching (Port Usage) (Local or Access Tandem)														
	Tandem Switching Function Per MOU (Melded)					0.000063441									
	Tandem Trunk Port - Shared, Per MOU (Melded)					0.000067307									
	Melded Factor: 36.82% of the Tandem Rate														

UNBUNDLED NETWORK ELEMENTS - North Carolina										Attachment: 2		Exhibit: C												
CATEGORY	RATE ELEMENTS	Interim	Zone	BCS	USOC	RATES (\$)	Svc Order Submitted Elec per LSR	Svc Order Submitted Manually per LSR	Incremental Charge - Manual Svc Order vs. Electronic-1st	Incremental Charge - Manual Svc Order vs. Electronic-Add'l	Incremental Charge - Manual Svc Order vs. Electronic-Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic-Disc Add'l	OSS Rates (\$)											
													Rec	Nonrecurring		Nonrecurring Disconnect		SOME C	SOMAN	SOMAN	SOMAN			
													First	Add'l	First	Add'l								
UNBUNDLED LOCAL SWITCHING, PORT USAGE																								
	Tandem Switching (Port Usage) (Local or Access Tandem)																							
	Tandem Switching Function Per MOU (Melded)					0.00024618																		
	Tandem Trunk Port - Shared, Per MOU (Melded)					0.00012309																		
	Melded Factor: 41.03% of the Tandem Rate																							

**UNBUNDLED NETWORK ELEMENTS - South Carolina**

CATEGORY	RATE ELEMENTS	Interi	Zone	BCS	USOC	RATES (\$)	Svc Order Submitted Elec per LSR	Svc Order Submitted Manually per LSR	Attachment: 2		Exhibit: C	
									Incremental Charge - Manual Svc Order vs. Electronic-1st	Incremental Charge - Manual Svc Order vs. Electronic-Add'l	Incremental Charge - Manual Svc Order vs. Electronic-Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic-Disc Add'l
									Nonrecurring			
		First		Add'l		First		Add'l		OSS Rates (\$)		
		SOME C		SOMAN		SOMAN		SOMAN		SOMAN		
<b>UNBUNDLED LOCAL SWITCHING, PORT USAGE</b>												
<b>Tandem Switching (Port Usage) (Local or Access Tandem)</b>												
	Tandem Switching Function Per MOU (Melded)					0.00004951						
	Tandem Trunk Port - Shared, Per MOU (Melded)					0.000086749						
	Melded Factor: 30.30% of the Tandem Rate											

UNBUNDLED NETWORK ELEMENTS - Tennessee						Attachment: 2		Exhibit: C							
CATEGORY	RATE ELEMENTS	Interim	Zone	BCS	USOC	RATES (\$)				Svc Order Submitted Elec per LSR	Svc Order Submitted Manually per LSR	Incremental Charge - Manual Svc Order vs. Electronic-1st	Incremental Charge - Manual Svc Order vs. Electronic-Add'l	Incremental Charge - Manual Svc Order vs. Electronic-Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic-Disc Add'l
						Rec	Nonrecurring First	Add'l	Nonrecurring First	Disconnect Add'l	SOME C	SOMAN	OSS Rates (\$)		
<b>UNBUNDLED LOCAL SWITCHING, PORT USAGE</b>															
	Tandem Switching (Port Usage) (Local or Access Tandem)														
	Tandem Switching Function Per MOU (Melded)					0.000380364									
	Melded Factor: 38.90% of the Tandem Rate														