

BELLSOUTH

ORIGINAL

BellSouth Telecommunications, Inc.
Regulatory & External Affairs
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Tallahassee, FL 32301-1556

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Marshall M. Criser III
Vice President
Regulatory & External Affairs

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RECEIVED: FPSC
09 SEP 10 PM 4:33
COMMISSION
CLERK

September 10, 2004

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

041084-TP

Re: Approval of two Amendments to the interconnection, unbundling, resale and collocation Agreement between BellSouth Telecommunications, Inc. ("BellSouth") and KMC Telecom Holdings, Inc.

Dear Mrs. Bayo:

Please find enclosed for filing and approval, the original and two copies of BellSouth Telecommunications, Inc.'s two Amendments to interconnection, unbundling, resale and collocation Agreement with KMC Telecom Holdings, Inc.

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

Very truly yours,

M. M. Criser III
Regulatory Vice President

RECEIVED & FILED
M. M. Criser III
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

09936 SEP 10 3

FPSC-COMMISSION CLERK

**Amendment
To the
Interconnection Agreement
Between
KMC Telecom Holdings, Inc.
and
BellSouth Telecommunications, Inc.
Dated October 6, 2000**

Pursuant to this Amendment, (the "Amendment"), KMC Telecom Holdings, Inc. (KMC Telecom), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated October 6, 2000 ("Agreement") to be effective September 14, 2004. KMC Telecom on behalf of itself and its certificated operating affiliates identified in Attachment A hereto.

WHEREAS, BellSouth and KMC Telecom entered into the Agreement on October 6, 2000, and;

WHEREAS, BellSouth and KMC Telecom are amending the Agreement to modify Local Number Portability (LNP) recovery charge pursuant to the Order in the matter of the Telephone Number Portability BellSouth Corporation Petition for Declaratory Ruling and/or Waiver, CC Docket No. 95-116, released April 13, 2004;

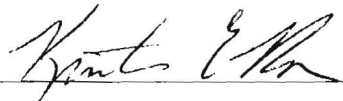
NOW, THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. The Parties agree to delete in their entirety all rate elements and USOCs identified as "Local Number Portability charges" in Exhibit A of Attachment 2, as specified by the following USOCs: LNPCX, LNPCP, LNPCN, and LNPCC.
2. The Parties agree to add the following language to Section 7 as Section 7.3 of Attachment 2 and Section 10 as Section 10.8 of Attachment 2:
 - In addition to other charges specified in this Agreement for Local Number Portability KMC Telecom shall pay to BellSouth the Local Number Portability charges as set forth in Section 13 of the BellSouth FCC No. 1 Tariff;
3. All of the other provisions of the Agreement dated October 6, 2000 shall remain unchanged and in full force and effect.
4. 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.

Signature Page

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: 8/26/04

KMC Telecom Holdings, Inc.

By: Maura Brown Johnson *RCP 8/25/04*
Name: Maura Brown Johnson
Title: Vice President & Senior Counsel
Date: 8/25/04

Attachment A

SCHEDULE OF KMC HOLDINGS, INC (KMC TELECOM) OPERATING AFFILIATES

KMC Telecom, Inc., KMC Telecom III, Inc., KMC Telecom V, Inc. (AL, LA)

KMC Telecom, Inc., KMC Telecom II, Inc., KMC Telecom III, Inc., KMC Telecom V, Inc. (FL)

KMC Telecom, Inc., KMC Telecom V, Inc. (GA)

KMC Telecom IV, Inc., KMC Telecom V, Inc. (KY)

KMC Telecom III, Inc., KMC Telecom V, Inc. (MS, SC, TN)

KMC Telecom II, Inc., KMC Telecom III, Inc., KMC Telecom V, Inc. (NC)

**Amendment to the Agreement
Between
KMC Telecom Holdings, Inc.
and
BellSouth Telecommunications, Inc.
Dated October 6, 2000**

Pursuant to this Amendment, (the "Amendment"), KMC Telecom Holdings, Inc. (KMC Telecom) on behalf of itself and its certified operating affiliates identified in Attachment A hereto, and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated October 6, 2000 ("Agreement") to be effective thirty (30) calendar days after the date of the last signature executing the Amendment.

WHEREAS, BellSouth and KMC Telecom entered into the Agreement on October 6, 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 9.1 and the associated rates as set forth in Exhibit 1 of this Amendment, attached hereto and incorporated herein by this reference.

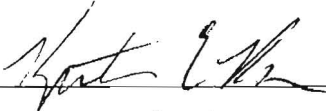
9.1.1 Where KMC Telecom utilizes portions of the BellSouth network in originating or terminating traffic, the Tandem Switching rates are applied in call scenarios where the Tandem Switching Network Element has been utilized. Because switch recordings cannot accurately indicate on a per call basis when 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 applicable to UNE-P set forth on BellSouth's website at <http://interconnection.bellsouth.com/guides/unedocs/2wireVGrdULPSComb.pdf> illustrate when the full or melded Tandem Switching rates apply for specific scenarios.

2. All of the other provisions of the Agreement, dated October 6, 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.

Signature Page

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

BellSouth Telecommunications, Inc.

By: 
Name: KRISTEEN E. ROWE
Title: DIRECTOR
Date: 8/26/04

KMC Telecom Holdings, Inc.

By: Mary Brown Johnson *REC 8/26/04*
Name: Mary Brown Johnson
Title: Vice President & Senior Counsel
Date: 8/25/04

EXHIBIT A

SCHEDULE OF KMC HOLDINGS, INC (KMC TELECOM) OPERATING AFFILIATES

KMC Telecom, Inc., KMC Telecom III, Inc., KMC Telecom V, Inc. (AL, LA)

KMC Telecom, Inc., KMC Telecom II, Inc., KMC Telecom III, Inc., KMC Telecom V, Inc. (FL)

KMC Telecom, Inc., KMC Telecom V, Inc. (GA)

KMC Telecom IV, Inc., KMC Telecom V, Inc. (KY)

KMC Telecom III, Inc., KMC Telecom V, Inc. (MS, SC, TN)

KMC Telecom II, Inc., KMC Telecom III, Inc., KMC Telecom V, Inc. (NC)

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
UNBUNDLED LOCAL SWITCHING, PORT USAGE																		
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	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	SOMAN	SOMAN	
UNBUNDLED LOCAL SWITCHING, PORT USAGE																								
	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 - 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	SOMAN	SOMAN	SOMAN	SOMAN	
UNBUNDLED LOCAL SWITCHING, PORT USAGE																								
	Tandem Switching (Port Usage) (Local or Access Tandem)																							
	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	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	
										SOME C	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
UNBUNDLED LOCAL SWITCHING, PORT USAGE															
	Tandem Switching (Port Usage) (Local or Access Tandem)														
	Tandem Switching Function Per MOU (Melded)					0.000035296									
	Tandem Trunk Port - Shared, Per MOU (Melded)					0.000073438									
	Melded Factor: 33.08% of the Tandem Rate														

UNBUNDLED NETWORK ELEMENTS - Mississippi										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
UNBUNDLED LOCAL SWITCHING, PORT USAGE															
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 First
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										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
UNBUNDLED LOCAL SWITCHING, PORT USAGE																
Tandem Switching (Port Usage) (Local or Access Tandem)																
	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						
										SOME C	SOMAN	SOMAN	SOMAN	SOMAN	SOMAN
UNBUNDLED LOCAL SWITCHING, PORT USAGE															
	Tandem Switching (Port Usage) (Local or Access Tandem)														
	Tandem Switching Function Per MOU (Melded)					0.000380364									
	Melded Factor: 38.90% of the Tandem Rate														