

State of Florida



Public Service Commission

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DATE: October 11, 2004

TO: Docket File

FROM: Jeff Bates (Division of Competitive Markets and Enforcement) *JB*
Victor McKay (Office of the General Counsel) *VS MB KC* *SAS*

RE: Docket No. 040698-TP – Notice of adoption, with modifications, of existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and BullsEye Telecom, Inc., by Utilities Commission, New Smyrna Beach d/b/a Sparks Communications.

By letter received July 2, 2004, BellSouth Telecommunications, Inc. filed a request for approval of adoption, with modifications, of existing interconnection, unbundling, resale, and collocation agreement between BellSouth and BullsEye Telecom, Inc. which was deemed approved by the Commission in Docket No. 040673-TP. Utilities Commission, New Smyrna Beach d/b/a Sparks Communications is adopting the interconnection, unbundling, resale, and collocation agreement approved by the Commission 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 October 7, 2004. The filing met the criteria outlined in Section 2.07.C.5.d 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 10/12/04 hms

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

DOCUMENT NUMBER-DATE

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