

BELLSOUTH

ORIGINAL

BellSouth Telecommunications, Inc.
Regulatory & External Affairs
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Vice President
Regulatory & External Affairs

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COMMISSION
CLERK

December 14, 2004

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

041403-TP

Re: Approval of the Resale Agreement by and between BellSouth Telecommunications, Inc. ("BellSouth") and Available Telecom Services, Inc.

Dear Mrs. Bayo:

Please find enclosed for filing and approval the original and two copies of BellSouth Telecommunications, Inc.'s Resale Agreement with Available Telecom Services, Inc.

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

Very truly yours,

M. Criser III / RW
Regulatory Vice President

RECEIVED & FILED

[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

13169 DEC 14 04

FPSC-COMMISSION CLERK

**Amendment
To The
Resale Agreement Between
BellSouth Telecommunications, Inc.
Available Telecom Services, Inc.
Dated October 9, 2002**

Pursuant to this Amendment, (the "Amendment"), Available Telecom Services, Inc. ("Available Telecom Services, Inc."), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Resale Agreement between the Parties dated October 9, 2002 ("Agreement") to be effective 30 (thirty) days after the date of the last signature executing the Amendment ("Effective Date").

WHEREAS, BellSouth and Available Telecom Services, Inc. entered into the Agreement on October 9, 2002, and;

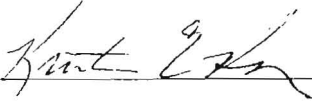
WHEREAS, BellSouth and Available Telecom Services, Inc. are amending the Adoption of Agreements provision of the Agreement pursuant to the FCC's Second Report and Order, WC Docket No. 01-338, issued on July 13, 2004;

NOW THEREFORE, in consideration of the mutual promises and covenants 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 Section 13 of the General Terms and Conditions and replace it with the following:
 13. Pursuant to 47 USC § 252(i) and 47 C.F.R. § 51.809, BellSouth shall make available to Available Telecom Services, Inc. any entire resale agreement filed and approved pursuant to 47 USC § 252. The adopted agreement shall apply to the same states as the agreement that was adopted, and the term of the adopted agreement shall expire on the same date as set forth in the agreement that was adopted.
2. All of the other provisions of the Resale Agreement, dated October 9, 2002, shall remain in full force and effect.
3. Either or both of the Parties is authorized to submit this Amendment to each Public Service Commission for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

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

BellSouth Telecommunications, Inc.

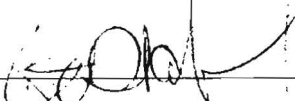
By: 

Name: Kristen Rowe

Title: Director

Date: 12-6-04

Available Telecom Services, Inc.

By: 

Name: Jerald Stabler

Title: President

Date: _____