

BellSouth Telecommunications, Inc. 150 South Monroe Street Suite 400 Tallahassee, Florida 32301

Jerry.Hendrix@bellsouth.com

Jerry D. Hendrix Vice President Regulatory Relations

Phone: (850) 577-5550 Fax (850) 224-5073

October 6, 2005

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

050739 - TP

Re: Approval of Amendment to the interconnection, unbundling, resale and collocation Agreement between BellSouth Telecommunications, Inc. ("BellSouth") and NewSouth Communications, Corp.

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 NewSouth Communications, Corp.

If you have any questions, please do not hesitate to call Robyn Holland at (850) 577-5551.

Very truly yours,

Urry Vendrix AV Regulatory Vice Presiden

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## Amendment to the Agreement Between NewSouth Communications, Corp. and BellSouth Telecommunications, Inc. Dated May 18, 2001

Pursuant to this Amendment, (the "Amendment"), NewSouth Communications, Corp. ("NewSouth"), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated May 18, 2001 ("Agreement") to be effective the date of the last signature executing the Amendment ("Effective Date").

WHEREAS, BellSouth and NewSouth entered into the Agreement on May 18, 2001, 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 and the Associated rates as set forth in Exhibit A of this Amendment, attached hereto and incorporated herein by this reference.
  - 6.5.4 <u>Rearrangements</u>
  - 6.5.4.1 A request to move a working NewSouth CFA to another NewSouth CFA, where both CFAs terminate in the same BellSouth Central Office ("Change in CFA"), will be subject to the applicable nonrecurring charges set forth in Exhibit A to this Amendment.
  - 6.5.4.2 Upon request of NewSouth, BellSouth shall project manage the Change in CFA or re-termination of a facility as described in Section 6.5.4.1 above and NewSouth may request OC-TS for such orders and such OC-TS will be available at times designated by NewSouth 24 hours a day, 7 days a week (except holidays). The applicable rates are set forth in Exhibit A.
  - 6.5.4.3 BellSouth shall accept a LOA between NewSouth and another carrier that will allow NewSouth to connect a facility, or Combination that includes Dedicated Transport to the other carrier's collocation space or to another carrier's CFA.
  - 6.5.4.4 BellSouth shall perform appropriate pre-service tests to ensure that transport facilities are delivered to the appropriate connecting points and that applicable industry standards of service are met. The Parties will use best efforts to ensure that testing for designed service is complete 24 hours in advance of the rearrangement. However, performance of the testing shall not impact the rearrangement due date or time unless

mutually agreed upon by the Parties or industry standards of service can not be met.

- 6.5.4.5 Where batch order processing is utilized the First NRC will apply to the first circuit of the batch and the Add'l charge will apply to each additional circuit in the batch. The applicable rates are set forth in Exhibit A.
- 2. All of the other provisions of the Agreement, dated May 18, 2001, shall remain in full force and effect.

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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.

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

**BellSouth Telecommunications, Inc.** 

By: Name: Kristen Rowe

Title: Director

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Date: 8 - 23-75

NewSouth Communications, Corp.

\_\_\_\_\_ By: Jul. Del Name: Susan J. Berlin Title: UP Sr Republicy Coursel

Date: 8-22-2005

Service Rearrangement & Order Coordinated Time Specific Hot-Cut

[CCCS Amendment 3 of 12] [CCCS Amendment 3 of 12]

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