

Timolyn Henry

ORIGINAL

060705-TP

From: Mcpike, Jessica L [LTD] [Jessica.L.Mcpike@embarq.com]
Sent: Tuesday, October 31, 2006 3:12 PM
To: Filings@psc.state.fl.us
Cc: Schnitzer, Nancy R [LTD]
Subject: Notice of Adoption of Interconnection, Collocation, Embarq Florida, Inc by Eagle Telecommunication
Attachments: Eagle Telecommunications, Inc.pdf

Filed on behalf of: Nancy Schnitzer, External Affairs EMBARQ

1313 Blairstone Rd.

Tallahassee, FL 32301

M/S FLTLHO0103

Voice (850)-599-1276

Fax (850)-878-0777

nancy.schnitzer@embarq.com

Docket No.

Title of filing: Notice of Adoption of Interconnection, Unbuilding, Collocation and Resale Agreement with modifications between Budget Phone Phone, Inc. and Embarq Florida, Inc. by Eagle Telecommunication, Inc.

Filed on behalf of: Embarq

No. of pages: 5

<<Eagle Telecommunications, Inc.pdf>>

Jessica L. McPike

Legal Specialist

Law & External Affairs-State External Affairs

EMBARQ Corporation

Voice: 850-599-1563 | Fax: 850-878-0777 | Email: jessica.mcpike@embarq.com

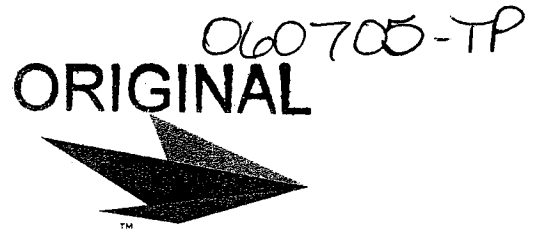
Voice | Data | Internet | Wireless | Entertainment

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

10/31/2006



Voice | Data | Internet | Wireless | Entertainment

EMBARQ™

Embarq Corporation
Mailstop: FLTLH00201
1313 Blair Stone Road
Tallahassee, FL 32301
EMBARQ.com

October 30, 2006

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
& Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Notice of Adoption of Interconnection, Unbundling, Collocation and Resale Agreement with modifications between Budget Phone, Inc. and Embarq Florida, Inc by Eagle Telecommunications, Inc..

Dear Ms. Bayó:

Embarq Florida, Inc. hereby provides notice to the Florida Public Service Commission of the adoption by Eagle Telecommunications, Inc. of the Interconnection, Unbundling, Collocation and Resale Agreement for the State of Florida with modifications entered into by Budget Phone, Inc. and Embarq Florida, Inc., formerly known as Sprint-Florida, Incorporated, which was filed with the Commission on January 31, 2006 in Docket No. 060102-TP. Eagle Telecommunications, Inc. is adopting the agreement as provided by Section 252(i) of the Telecommunications Act of 1996.

If you have any questions on this matter, please contact me at 850-599-1276.

Sincerely,

Nancy Schnitzer

cc: Kelley Mullis
1800 Second Street, Suite 708
Sarasota, FL 34236

Enclosures

Nancy R. Schnitzer
REGULATORY AFFAIRS
LAW & EXTERNAL AFFAIRS
Voice: (850) 599-1276
Fax: (850) 878-0777
nancy.schnitzer@embarq.com

DOCUMENT NUMBER-DATE

10052 OCT 31 06

FPSC-COMMISSION CLERK



**INTERCONNECTION, COLLOCATION and RESALE AGREEMENT
FOR THE STATE OF FLORIDA**

BETWEEN

Eagle Telecommunications, Inc.

AND

Embarq Florida, Inc.

Effective: October 23, 2006

Expires: December 21, 2007

INTERCONNECTION, COLLOCATION and RESALE AGREEMENT

This Interconnection and Collocation and Resale Agreement ("Agreement") is entered into by between Eagle Telecommunications, Inc. , ("CLEC") and Embarq Florida, Inc. ("Embarq"), hereinafter referred to as "the Parties", to establish the rates, terms and conditions for local interconnection, local resale and purchase of unbundled network elements for the State of Florida.

NOW THEREFORE, the Parties agree as follows:

1. CONDITIONS

- 1.1. The Parties agree that the Agreement between the Parties shall consist of the Master Interconnection, Collocation and Resale Agreement for the State of Florida entered into by and between Embarq and Budget Phone, Inc. ("Adopted Agreement"), and modifications as noted in section 4. of this Agreement.
- 1.2. For the purposes of this Agreement, Eagle Telecommunications, Inc. is hereby substituted in the Adopted Agreement for Budget Phone, Inc. and Sprint-Florida, Inc., now known as Embarq Florida, Inc., shall remain as the other Party to the Agreement.
- 1.3. Except as set forth in section 4, the Adopted Agreement remains unchanged and in full force and effect. In the event of a conflict between the terms of the Adopted Agreement and this Agreement, this Agreement will control
- 1.4. The Parties agree that this Agreement shall supersede and replace in full any and all prior agreements, written and oral, between CLEC and Embarq pertaining to the subject matter hereof.

2. TERM

- 2.1. This Agreement shall be in force and become effective October 23, 2006.
- 2.2. This Agreement shall have an expiration date of December 21, 2007 which corresponds with the expiration date of the Adopted Agreement.

3. GENERAL

- 3.1. Other than as set forth herein, the Adopted Agreement remains unchanged and in full force and effect. In the event of a conflict between the terms of the Adopted Agreement and this Agreement, this Agreement will control.
- 3.2. This Agreement, executed by authorized representatives of Embarq and CLEC, is made a part of and incorporates the terms and conditions of this Agreement and the Adopted Agreement.

4. MODIFICATIONS

- 4.1. The Parties agree that Part H – Line Sharing of the Adopted Agreement shall be deleted in its entirety.
- 4.2. The Parties agree that “Exhibit A” as referred to in the Adopted Agreement shall be Exhibit A attached to this Agreement.

5. NOTICES

- 5.1. Except as otherwise provided, all notices and communication hereunder shall be deemed to have been duly given when made in writing and delivered in person or deposited in the U.S. mail, certified, postage paid, return receipt requested, addressed as follows:

To CLEC:


Mike Ray
President
EagleTel, Florida's Other Phone Company
1800 Second Street
Sarasota, Florida 34236

To Embarq:

William E. Cheek
President, Wholesale Markets
KSOPKB0502 - 561
9300 Metcalf
Overland Park, Kansas 66212

IN WITNESS WHEREOF, Embarq and CLEC have caused this Agreement to be executed by its duly authorized representatives.

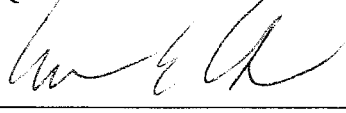
CLEC:

By: 

Name: Mike Ray, President

Date: 10 02 06

EMBARQ :

By: 

Name: William E. Cheek
President, Wholesale Markets

Date: 10/15/06

EXHIBIT A

LOOPS

Wire Centers exceeding the UNE Loop DS1 Threshold (60,000 Business Access Lines and 4 fiber based collocators)

<u>State</u>	<u>Wire Center</u>	<u>CLLI</u>	<u>Effective</u>
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Wire Centers exceeding the UNE Loop DS3 Threshold (38,000 Business Access Lines and 4 fiber-based collocators)

<u>State</u>	<u>Wire Center</u>	<u>CLLI</u>	<u>Effective</u>
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TRANSPORT

Tier 1 Wire Centers for UNE Dedicated Transport

<u>State</u>	<u>Wire Center</u>	<u>CLLI</u>	<u>Effective</u>
FL	Altamonte Springs	ALSPFLXA	April 22, 2005
FL	Fort Myers	FTMYFLXA	April 22, 2005
FL	Maitland	MTLDFLXA	April 22, 2005
FL	Tallahassee	TLHSFLXA	April 22, 2005
FL	Winter Park	WNPFLXA	April 22, 2005

Tier 2 Wire Centers for UNE Dedicated Transport

<u>State</u>	<u>Wire Center</u>	<u>CLLI</u>	<u>Effective</u>
FL	Goldenrod	GLRDFLXA	April 22, 2005
FL	Lake Brantley	LKBRFLXA	April 22, 2005
FL	Naples	NPLSFLXD	June 1, 2006
FL	Ocala	OCALFLXA	June 1, 2006
FL	Tallahassee	TLHSFLXD	April 22, 2005

All other Embarq Wire Centers are currently considered Tier 3 Wire Centers for UNE Dedicated Transport