

3/20/08  
**DECLASSIFIED** **CONFIDENTIAL**

070736-TP

From: Hicks, Thomas  
Sent: Tuesday, December 18, 2007 6:49 PM  
To: Ferguson, Karon  
Cc: Hicks, Thomas  
Subject: Intrado - AT&T 251 Agreement

Dear Karon,

Thank you for AT&T's December 13, 2007 response to Intrado's October 11, 2007 mark-up of three Appendices to the AT&T 9-state template interconnection agreement. As indicated in Intrado's initial request for negotiation, Intrado is seeking to enter into a multi-state interconnection agreement with AT&T covering its 22-state operating territory. As you know, Intrado's request for a 22-state agreement is consistent with the Federal Communications Commission's merger condition requiring the merged AT&T and BellSouth entity to make available interconnection agreements across its 22-state territory.[1]

Based on AT&T's representations, intrado had hoped to receive an AT&T template covering the 22-state territory to further revise and adapt to cover the Parties interconnection arrangements under 251 of the Act. After numerous requests for a 22-state template and the approaching arbitration deadline, it became apparent that a 22-state template might not be forthcoming from AT&T in time to accommodate Intrado's business plans. Thus, in the intervening months since Intrado provided its mark-up of the 9-state template, Intrado proceeded to adapt the AT&T 13-state template for use throughout the 22-state territory.

Please find enclosed for your review and discussion a redline of the AT&T 13-state agreement to be used throughout the AT&T 22-state territory. Intrado remains committed to reaching a negotiated agreement with AT&T. Unfortunately, the window for arbitration pursuant to the Parties agreed upon extension is fast approaching. In light of the Parties inability to make progress through the negotiation phase, Intrado will need to pursue its arbitration rights, but hopes the Parties can continue to meet and discuss the enclosed draft agreement with the goal of reaching a negotiated agreement.

Intrado hereby also provides written notice of its need to file with state regulatory agencies materials obtained electronically from AT&T in connection with this negotiation and which were provided under a claim of confidentiality pursuant to the Parties' Non-disclosure Agreement dated July 26, 2007 ("NDA"). As you are aware and as the NDA indicates, the Parties understand that these materials may need to be submitted to state agencies tasked with reviewing petitions for arbitration and requires that Intrado provide notice and seek confidential treatment of the materials. Intrado will seek such protection for any materials submitted to a state agency.

Intrado would like to schedule a time to discuss the revised agreement after the first of the year. We could make our subject matter experts available Jan 3 or 4. Please let us know if any of these dates will work for your team or please propose several alternative dates. Intrado looks forward to reaching a mutually beneficial interconnection agreement with AT&T and bringing the benefits of competition to both of our customers.

Sincerely,

Tom

[1] AT&T Inc. and BellSouth Corporation Application for Transfer of Control, Memorandum Opinion and Order, 22 FCC Rcd 5662 (2007) ("AT&T/BellSouth Merger Order").

ATTACHMENT 1

DOCUMENT NUMBER-DATE

00549 JAN 22 8

FPC-COMMISSION CLERK

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**From:** Ferguson, Karon [mailto:kf2006@att.com]  
**Sent:** Thursday, December 20, 2007 10:42 AM  
**To:** Hicks, Thomas  
**Subject:** RE: Intrade - AT&T 251 Agreement  
**Importance:** High

**DECLASSIFIED**

Hello Tom,

We are reviewing your request and will respond ASAP. ...Wishing you a happy holiday season.

Karon

*Karon Ferguson*  
AT&T Wholesale-Contract Negotiations  
Rm 34S91  
675 W Peachtree St  
Atlanta GA 30375  
404 927 0149  
fax 404 529 7839

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Attn: BellSouth Business Markets Wholesale Marketing Communications  
Room 8D32  
754 Peachtree St. NE  
Atlanta, GA 30308

ATTACHMENT 2

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May 18, 2007

VIA CERTIFIED MAIL

AT&T Contract Management  
311 S Akard  
Four AT&T Plaza, 9<sup>th</sup> floor  
Dallas, TX 75202

**DECLASSIFIED**

RE: Request for Section 251 Interconnection

Dear Contract Manager:

Pursuant to Section 251, et seq. of the Telecommunications Act of 1996, as amended, Intrado Communications Inc. herein requests interconnection with AT&T.

Please forward the appropriate materials to:

Thomas W. Hicks  
Director, Regulatory Affairs  
c/o Colleen Lockett  
Intrado Communications Inc.  
1601 Dry Creek Drive  
Longmont, CO 80503  
e-mail: regulatory@intrado.com

We look forward to commencing interconnection negotiations with your team. Should you have any questions please feel free to contact me at (972) 772-5883.

Thank you for your consideration.

Sincerely,

  
Thomas W. Hicks

ATTACHMENT 3

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Karon Ferguson  
675 Peachtree Street NW  
Room 34601  
Atlanta, GA 30375

T: 404.927.9149  
Karon.ferguson@att.com

**DECLASSIFIED**

October 23, 2007

Mr. Thomas W. Hicks  
Director, Regulatory Affairs  
Intrado Communications, Inc.  
1601 Dry Creek Drive  
Longmont, CA 80503

RE: Request for Section 251 Interconnection

Dear Mr. Hicks:

This is to confirm our mutual agreement concerning Intrado Communications, Inc. ("Intrado") and Illinois Bell Telephone Company d/b/a AT&T Illinois, Indiana Bell Telephone Company Incorporated d/b/a AT&T Indiana, Michigan Bell Telephone Company d/b/a AT&T Michigan, Nevada Bell Telephone Company d/b/a AT&T Nevada, The Ohio Bell Telephone Company d/b/a AT&T Ohio, Pacific Bell Telephone Company d/b/c AT&T California, The Southern New England Telephone Company d/b/a AT&T Connecticut, Southwestern Bell Telephone Company d/b/a AT&T Arkansas, AT&T Kansas, AT&T Missouri, AT&T Oklahoma and AT&T Texas, and Wisconsin Bell, Inc. d/b/a AT&T Wisconsin, BellSouth Telecommunications, Inc. d/b/a AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina, and AT&T Tennessee (collectively, "AT&T 22 State") negotiations of an interconnection agreement pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 ("the Act").

AT&T's negotiation of the interconnection agreement required under 251 of the Act is based upon Intrado's representation that it is seeking services and products that are required under it. However, AT&T reserves its rights to withdraw from such negotiation in the event that it determines otherwise.

Intrado and AT&T agree that pursuant to Section 252(b)(1) of the Act, the applicable day 135 beginning of the arbitration "window" and day 160 end of the arbitration "window" are as reflected below:

Day 135: October 5, 2007

Day 160: October 30, 2007

Intrado and AT&T mutually agree to extend the Arbitration window 60 days from October 30, 2007 to December 29, 2007.

Intrado Communications, Inc.

AT&T- 22 State

Name: Thomas W. Hicks

Name: Karon Ferguson

Signature:

Signature:

Title: Director-Regulatory Affairs

Title: Lead Negotiator

Date: \_\_\_\_\_

Date:

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