

State of Florida



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Public Service Commission

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-M-E-M-O-R-A-N-D-U-M-

DATE: September 4, 2008
TO: Docket File
FROM: Jeff Bates (Division of Regulatory Compliance) *JB*
Victor McKay (Office of the General Counsel) *VM* *SAB*
RE: Docket No. 080300-TP - Request for approval of Amendment No. 1 to master resale agreement between Embarq Florida, Inc. and Ernest Communications, Inc.

By letter received June 3, 2008, Embarq Florida, Inc. filed a request for approval of Amendment No. 1 to the resale agreement with Ernest Communications, Inc. Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved. The statutory deadline for the Commission to take action on this matter was September 2, 2008.

Staff reviewed the agreement in this Docket on August 21, 2008. The agreement met the criteria outlined in Section 2.07.C.5.d of the Administrative Procedures Manual. Therefore, it has gone into effect by operation of law in accordance with Section 252(e)(4) of the Telecommunications Act of 1996. Accordingly, with this Memorandum, the docket is hereby closed.

CC: Office of the Commission Clerk (H. Wang)

OK to close
9-4-08
HW

DOCUMENT NUMBER-DATE

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