

9/10/2008 3:06 PM

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Ruth Nettles

From: Holland, Robyn P [rh0582@att.com]
Sent: Wednesday, September 10, 2008 2:19 PM
To: Filings@psc.state.fl.us
Subject: Adoption by AT&T Florida & South Carolina Net, Inc. d/b/a Spirit Telecom

Attachments: 9100C_Sc.pdf



9100C_Sc.pdf
(367 KB)

-----Original Message-----

From: YANT, ROBYN [mailto:robyn.holland@ATT.COM]
Sent: Wednesday, September 10, 2008 2:19 PM
To: YANT, ROBYN
Subject: 9100C Scan

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0844 | SEP 10 8

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Florida Regulatory Relations
150 S. Monroe St., Suite 400
Tallahassee, FL 32301

T: 850-577-5550
F: 850-224-5073
www.att.com

September 10, 2008

Mrs. Ann Cole
Director, Division of The Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

Re: Notice of the Adoption of Interconnection, unbundling, resale and collocation agreement with modifications and one amendment between BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast and KMC Data, LLC by South Carolina Net, Inc. d/b/a Spirit Telecom.

Dear Mrs. Cole:

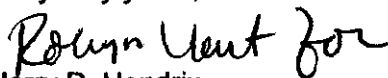
BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast hereby provides notice to the Florida Public Service Commission of the adoption by South Carolina Net, Inc. d/b/a Spirit Telecom of the Interconnection, Unbundling, Resale, and Collocation Agreement with modifications and one amendment for the State of Florida entered into between BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast and KMC Data, LLC, which was filed with this Commission on July 7, 2005 in Docket No. 050466-TP.

South Carolina Net, Inc. d/b/a Spirit Telecom is adopting the agreement and all amendments (if applicable), with modifications as provided by Section 252(i) of the Telecommunications Act of 1996.

Enclosed are the original and two (2) copies of the contract between BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast and South Carolina Net, Inc. d/b/a Spirit Telecom, for your records.

If you have any questions please do not hesitate to contact Robyn Yant at (850) 577-5551.

Very truly yours,


Jerry D. Hendrix
Regulatory Vice President



at&t WHOLESALE AGREEMENT

Customer Name: South Carolina Net, Inc. dba Spirit Telecom

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South Carolina Net, Inc. dba Spirit Telecom - ICA 3 Yr Extension Amdmt	7

By and Between
BellSouth Telecommunications, Inc.
And
South Carolina Net, Inc. dba Spirit Telecom

DOCUMENT NUMBER - DATE
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AGREEMENT

This Agreement, which shall become effective thirty (30) days following the date of the last signature of both Parties ("Effective Date"), is entered into by and between South Carolina Net, Inc. d/b/a Spirit Telecom ("South Carolina Net"), a South Carolina corporation on behalf of itself, and BellSouth Telecommunications, Inc., ("BellSouth"), a Georgia corporation, having an office at 675 W. Peachtree Street, Atlanta, Georgia, 30375, on behalf of itself and its successors and assigns.

WHEREAS, the Telecommunications Act of 1996 (the "Act") was signed into law on February 8, 1996; and

WHEREAS, section 252(i) of the Act requires BellSouth to make available any interconnection agreement filed and approved pursuant to 47 U.S.C. § 252; and

WHEREAS, South Carolina Net has requested that BellSouth make available the interconnection agreement in its entirety executed between BellSouth and KMC Telecom V, Inc. dated June 30, 2005 for the state(s) of Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, Louisiana, Mississippi and Kentucky.

NOW, THEREFORE, in consideration of the promises and mutual covenants of this Agreement, South Carolina Net and BellSouth hereby agree as follows:

1. South Carolina Net and BellSouth shall adopt in its entirety the KMC Telecom V, Inc. Interconnection Agreement dated June 30, 2005 and any and all amendments to said agreement executed and approved by the appropriate state regulatory commission as of the date of the execution of this Agreement. The KMC Telecom V, Inc. Interconnection Agreement and all amendments are attached hereto as Exhibit 1 and incorporated herein by this reference. The adoption of this agreement with amendment(s) consists of the following:

ITEM	NO. PAGES
Adoption Papers	6
KMC Telecom V, Inc.	743
Total	749

DOCUMENT NUMBER - DATE

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March 2006

2. In the event that South Carolina Net consists of two (2) or more separate entities as set forth in the preamble to this Agreement, all such entities shall be jointly and severally liable for the obligations of South Carolina Net under this Agreement.

3. The term of this Agreement shall be from the Effective Date as set forth above and shall expire as set forth in Section 1.6 of the KMC Telecom V, Inc. Interconnection Agreement. For the purposes of determining the expiration date of this Agreement pursuant to Section 1.6 of the KMC Telecom V, Inc. Interconnection Agreement, the effective date shall be June 30, 2005.

4. South Carolina Net shall accept and incorporate any amendments to the KMC Telecom V, Inc. Interconnection Agreement executed as a result of any final judicial, regulatory, or legislative action.

5. Every notice, consent, approval, or other communications required or contemplated by this Agreement shall be in writing and shall be delivered in person or given by postage prepaid mail, address to:

BellSouth Telecommunications, Inc.

BellSouth Local Contract Manager
600 North 19th Street, 8th floor
Birmingham, Alabama 35203

and

ICS Attorney
Suite 4300
675 W. Peachtree St.
Atlanta, GA 30375

South Carolina Net, Inc. d/b/a Spirit Telecom

Mark Stokes
Director Business Development
1500 Hampton Street
Suite 101
Columbia, SC 29201
Contact: 803-726-4003
Email: mark.stokes@spiritlecom.com

or at such other address as the intended recipient previously shall have designated by written notice to the other Party. Where specifically required, notices shall be by certified or registered mail. Unless otherwise provided in this Agreement, notice by mail shall be effective on the date it is officially recorded as delivered by return receipt or equivalent, and in the absence of such record of delivery, it shall be presumed to have been delivered the fifth day, or next business day after the fifth day, after it was deposited in the mails.

IN WITNESS WHEREOF, the Parties have executed this Agreement through their authorized representatives.

BellSouth Telecommunications, Inc.

By: *Kristen E. Shore*

Name: Kristen E. Shore

Title: Director

Date: 5/1/06

South Carolina Net, Inc. d/b/a Spirit Telecom

By: *Mark S. Stokes*

Name: MARK S. STOKES

Title: DIRECTOR BUSINESS DEVELOPMENT

Date: APRIL 26, 2006

**AMENDMENT TO
INTERCONNECTION AGREEMENT UNDER SECTIONS 251 AND 252 OF THE TELECOMMUNICATIONS ACT
OF 1996
BETWEEN
BELL SOUTH 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
AND
SOUTH CAROLINA NET, INC. DBA SPIRIT TELECOM**

The Interconnection Agreement dated May 31, 2006 by and between 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 ("AT&T") and South Carolina Net, Inc. dba Spirit Telecom ("South Carolina Net") ("Agreement") effective in the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee is hereby amended as follows:

1. Section 3.1 of the General Terms and Conditions is amended by adding the following section:
 - 3.1.1 Notwithstanding anything to the contrary in this section 3.1, the original expiration date of this Agreement, as modified by this Amendment, will be extended for a period of three (3) years from December 29, 2008 until December 29, 2011 (the "Extended Expiration Date"). The Agreement shall expire on the Extended Expiration Date; provided, however, that during the period from the effective date of this Amendment until the Extended Expiration Date, the Agreement may be terminated earlier either by written notice from South Carolina Net, by AT&T pursuant to the Agreement's early termination provisions, or by mutual agreement of the parties.
2. The Agreement is also amended as follows to reflect prior changes of law, and South Carolina Net acknowledges and agrees that it will promptly amend the Agreement to reflect future changes of law as and when they may arise.
3. EXCEPT AS MODIFIED HEREIN, ALL OTHER TERMS AND CONDITIONS OF THE UNDERLYING AGREEMENT SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
4. In entering into this Amendment neither Party waives, and each Party expressly reserves, any rights, remedies or arguments it may have at law or under the intervening law or regulatory change provisions in the underlying Agreement (including intervening law rights asserted by either Party via written notice predating this Amendment) with respect to any orders, decisions, legislation or proceedings and any remnants thereof, which the Parties have not yet fully incorporated into this Agreement or which may be the subject of further review.
5. This Amendment shall be filed with and is subject to approval by the Commissions and shall become effective "thirty (30) days after the date of the last signature executing the Amendment".

South Carolina Net, Inc. dba Spirit Telecom

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

By: Mark S. Stokes
Name: MARK S. STOKES
(Print or Type)
Title: DIRECTOR BUSINESS DEVELOPMENT
(Print or Type)
Date: 4/3/2008

By: Kristen E. Shore
Name: Kristen E. Shore
Title: Director
Date: 4/16/08

	<u>OCN#</u>	<u>ACNA</u>		<u>OCN#</u>	<u>ACNA</u>
ALABAMA	_____	_____	MISSISSIPPI	_____	_____
FLORIDA	_____	_____	NORTH CAROLINA	<u>511C</u>	<u>SNZ</u>
GEORGIA	<u>898E</u>	<u>SNZ</u>	SOUTH CAROLINA	<u>1784</u>	<u>SNZ</u>
KENTUCKY	_____	_____	TENNESSEE	_____	_____
LOUISIANA	_____	_____			