

State of Florida



RECEIVED-FPSC

09 JAN -8 AM 10:11

# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

COMMISSION  
CLERK

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

**DATE:** January 7, 2009

**TO:** Docket File

**FROM:** Jeff Bates (Division of Regulatory Compliance) *JB* *SAS*  
Victor McKay (Office of the General Counsel) *VM* *M*

**RE:** Docket No. 080628-TP - Request for approval of amendment 1 to interconnection, unbundling, resale, and collocation agreement between Embarq Florida, Inc. and NuVox Communications, Inc. d/b/a NuVox.

By letter received October 7, 2008, Embarq Florida, Inc. filed a request for approval of amendment 1 to the interconnection, unbundling, resale, and collocation agreement with NuVox Communications, Inc. d/b/a NuVox. 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 January 5, 2009.

Staff reviewed the agreement in this Docket on December 29, 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*  
*1-8-09*  
*HT*

DOCUMENT NUMBER-DATE

00171 JAN-8 8

FPSC-COMMISSION CLERK