

State of Florida



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

DATE: May 6, 2009
TO: Docket File
FROM: Jeff Bates (Division of Regulatory Compliance) *JB*
Victor McKay (Office of the General Counsel) *VSM AJ*
RE: Docket No. 090063-TP - Request for approval of Amendment No. 2 to interconnection, unbundling, resale, and collocation agreement between Embarq Florida, Inc. and NuVox Communications, Inc. d/b/a NuVox.

By letter received February 3, 2009, Embarq Florida, Inc. filed a request for approval of Amendment No. 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 May 4, 2009.

Staff reviewed the agreement in this Docket on April 23, 2009. 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
5-5-09
HTZ*

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