

State of Florida



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Public Service Commission

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COMMISSION
CLERK

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

DATE: July 10, 2009

TO: Docket File

FROM: Jeff Bates (Division of Regulatory Compliance) *[Signature]*
Victor McKay (Office of the General Counsel) *[Signature]* vsm

RE: Docket No. 090176-TP - Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Image Access, Inc. d/b/a NewPhone, Inc.

By letter received April 9, 2009, BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast filed a request for approval of an amendment to the interconnection, unbundling, resale, and collocation agreement with Image Access, Inc. d/b/a NewPhone, 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 July 8, 2009.

Staff reviewed the agreement in this Docket on May 26, 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. Wong)

*OK to close
7-10-09
H/W*

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