

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:** July 29, 2009

**TO:** Docket File

**FROM:** Jeff Bates (Division of Regulatory Compliance) *JB*  
Victor McKay (Office of the General Counsel) *AT Vsm*

**RE:** Docket No. 090324-TP – Notice of adoption of existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Cbeyond Communications, LLC by BTEL, Inc.

By letter received June 4, 2009, BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast filed a request for approval of adoption of existing interconnection, unbundling, resale, and collocation agreement between BellSouth and Cbeyond Communications, LLC which was deemed approved by the Commission in Docket No. 050466-TP. BTEL, Inc. is adopting the interconnection, unbundling, resale, and collocation agreement approved by the Commission pursuant to Section 252(i) of the Telecommunications Act of 1996.

Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(i) requires that a local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved by the state commission to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement in its entirety. . Any exception to said obligation is governed by 47 C.F.R. § 51.809(b) and may be filed when such exception exists.

Staff reviewed the agreement in this Docket on July 28, 2009. The filing met the criteria outlined in Section 2.07.C.5.b of the Administrative Procedures Manual in that it complies with Section 252(i) of the Act. This adoption is thereby deemed acknowledged as effective. Accordingly, with this Memorandum, the docket is hereby closed.

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

*OK to close*  
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