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Public Service Commission

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COMMISSION
CLERK

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

DATE: November 18, 2009

TO: Docket File

FROM: Jeff Bates (Division of Regulatory Analysis) *JB*
Victor McKay (Office of the General Counsel) *VSMM*

RE: Docket No. 090408-TP - Request for approval of resale agreement between Embarq Florida, Inc. and Wholesale Carrier Services, Inc.

By letter received August 17, 2009, Embarq Florida, Inc. filed a request for approval of the resale agreement with Wholesale Carrier Services, 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 November 16, 2009.

Staff reviewed the agreement in this Docket on October 27, 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
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N/W*

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