



Public Service Commission

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

DATE: October 28, 2010

TO: Docket File

FROM: Jeff Bates (Division of Regulatory Analysis) *JB*
Victor McKay (Office of the General Counsel) *VM* *C-FAF*

RE: Docket No. 100406-TP - Notice of adoption of existing interconnection, unbundling, resale, and collocation agreement between Birch Communications, Inc. and Embarq Florida, Inc. d/b/a CenturyLink by Comity Communications, LLC.

By letter received September 28, 2010, Embarq Florida, Inc. d/b/a CenturyLink filed a notice of adoption of the existing interconnection, unbundling, resale, and collocation agreement, entered with Birch Communications, Inc. which was deemed approved in Docket No. 080679-TP. Comity Communications, LLC is adopting the interconnection, unbundling, resale, and collocation agreement approved by the Commission in its entirety 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 U.S.C. § 51.809(b) and was not raised in this docket.

Staff reviewed the agreement in this Docket on October 21, 2010. The filing met the criteria outlined in Section 2.07.C.5.d of the Administrative Procedures Manual in that it complies with Section 252(i) of the Act. Accordingly, with this Memorandum, the docket is hereby closed.

OK to close
11-1-10
HW

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

DOCUMENT NUMBER DATE

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