

Diamond Williams

110300-TP

From: YANT, ROBYN [rh0582@att.com]
Sent: Monday, October 31, 2011 4:06 PM
To: Filings@psc.state.fl.us

Attachments: img-X31143416-0001.pdf



img-X3114341
001.pdf (464 KI)

-----Original Message-----

From: OMT
Sent: Monday, October 31, 2011 3:34 PM
To: YANT, ROBYN
Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Number of Images: 5
Attachment File Type: PDF

Device Name: WorkCentre 5225A
Device Location:

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CLK N.G. _____

DOCUMENT NUMBER-DATE

08021 OCT 31 =

FPSC-COMMISSION CLERK



Jerry D. Hendrix
Vice President
Regulatory Relations

AT&T Florida
150 South Monroe Street
Suite 400
Tallahassee, FL 32301

T: 850.577.5550
F: 850.224.5073
jerry.hendrix@att.com
www.att.com

October 28, 2011

110300-TP

Mrs. Ann Cole
Director, Division of The Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

Re: Notice of the Adoption of interconnection, unbundling, resale collocation agreement between BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast and Time Warner Telecom of Florida, LP by DeltaCom, Inc..

Dear Mrs. Cole:

BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast hereby provides notice to the Florida Public Service Commission of the adoption by DeltaCom, Inc. of the Interconnection, Unbundling, Resale, and Collocation Agreement for the State of Florida entered into between BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast and Time Warner Telecom of Florida, LP, which was filed with this Commission on October 18, 2011 in Docket No. 110294-TP

DeltaCom, Inc. is adopting the agreement and all amendments (if applicable), as provided by Section 252(i) of the Telecommunications Act of 1996.

Enclosed are the original and one (1) copy of the contract between BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast and DeltaCom, Inc., for your records.

If you have any questions please do not hesitate to contact Robyn Yant at (850) 577-5551.

Very truly yours,

Jerry D. Hendrix
Regulatory Vice President

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MFN AGREEMENT

This MFN Agreement ("MFN Agreement"), which shall be filed with and is subject to approval by the State Commission and shall become effective ten (10) days after approval by such Commission ("Effective Date"), is entered into by and between DeltaCom, Inc. ("CLEC"), an Alabama corporation on behalf of itself, and BellSouth Telecommunications, LLC d/b/a AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina and AT&T Tennessee, ("AT&T"), previously referred to as BellSouth Telecommunications, Inc. d/b/a AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina and AT&T Tennessee having an office at 675 W. Peachtree Street, Atlanta, Georgia, 30375, on behalf of itself and its successors and assigns.

WHEREAS, the Telecommunications Act of 1996 (the "Act") was signed into law on February 8, 1996; and

WHEREAS, CLEC has requested that AT&T make available the Interconnection Agreement in its entirety executed between AT&T and Time Warner Telecom of Florida, L.P. dated November 2, 2007 for the State of Florida ("Interconnection Agreement").

WHEREAS, pursuant to Section 252(i) of the Act, for purposes of this MFN Agreement, CLEC has adopted the Interconnection Agreement for the State of Florida;

NOW, THEREFORE, in consideration of the promises and mutual covenants of this MFN Agreement, CLEC and AT&T hereby agree as follows:

1. **AT&T-9STATE** shall be defined as the States of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee.
2. CLEC and AT&T shall adopt in its entirety the Interconnection Agreement dated November 2, 2007 and any and all amendments to said Interconnection Agreement executed and approved by the appropriate state regulatory commission as of the date of the execution of this MFN Agreement. The Interconnection Agreement and all amendments are attached hereto as Exhibit 1 and incorporated herein by this reference. The adoption of this Interconnection Agreement with amendment(s) consists of the following:

ITEM
Adoption Papers
Signature Page
Exhibit 1 Cover Page
Time Warner Telecom of Florida, L.P. Agreement
Name Change Amendment – Effective August 4, 2008
Notices Change and OSS Update Amendment – Effective February 9, 2010

3. In the event that CLEC consists of two (2) or more separate entities as set forth in the preamble to this MFN Agreement, all such entities shall be jointly and severally liable for the obligations of CLEC under this MFN Agreement.
4. The term of this MFN Agreement shall be from the Effective Date as set forth above and shall expire as set forth in Section 2 of the General Terms and Conditions of the Interconnection Agreement. For the purposes of determining the expiration date of this MFN Agreement, the expiration date shall be December 1, 2012.
5. CLEC shall accept and incorporate any approved amendments to the Interconnection Agreement executed as a result of any final judicial, regulatory, or legislative action.
6. In entering into this MFN Agreement, the Parties acknowledge and agree that neither Party waives, and each Party expressly reserves, any of its rights, remedies or arguments it may have at law or under the intervening law or regulatory change provisions in this MFN Agreement with respect to any orders, decisions, legislation or proceedings and any remands

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by the FCC, state utility commission, court, legislature or other governmental body including, without limitation, any such orders, decisions, legislation, proceedings, and remands which were issued, released or became effective prior to the Effective Date of this MFN Agreement, or which the Parties have not yet fully incorporated into this Agreement or which may be the subject of further government review.

7. Every notice, consent or approval of a legal nature, required or permitted by this MFN Agreement shall be in writing and shall be delivered either by hand, by overnight courier or by US mail postage prepaid addressed to:

To AT&T:

Contract Management
ATTN: Notices Manager
311 S. Akard, 9th Floor
Dallas, TX 75202-5398
Facsimile Number: 214-464-2006

With a Copy To:

Business Markets Attorney
Suite 4300
675 W. Peachtree St.
Atlanta, GA 30375

To CLEC:

Vice President of Regulatory Policy
5 Wall Street
Burlington, MA 01803
Facsimile Number: 781-362-1312

With a Copy To:

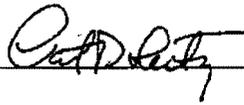
Regulatory Affairs Counsel
5 Wall Street
Burlington, MA 01803
Facsimile Number: 781-362-1313

or at such other address as the intended recipient previously shall have designated by written notice to the other Party. Where specifically required, notices shall be by certified or registered mail. Unless otherwise provided in this MFN Agreement, notice by mail shall be effective on the date it is officially recorded as delivered by return receipt or equivalent, and in the absence of such record of delivery, it shall be presumed to have been delivered the fifth day, or next business day after the fifth day, after it was deposited in the mails.

DeltaCom, Inc.

BellSouth Telecommunications, LLC d/b/a
AT&T Florida, by AT&T Services, Inc., its
authorized agent

By: 

By: 

Name: Pamela L. Hartz

Name: Patrick Doherty

Title: Vice President, Reg. Policy

Title: Director - Regulatory

Date: 10-05-2011

Date: 10-10-11

	<u>RESALE OCN</u>	<u>ULEC OCN</u>	<u>CLEC OCN</u>
FLORIDA	7727	4616, 7727	4616
ACNA	DLT		

EXHIBIT 1