

RUTLEDGE, ECENIA & PURNELL

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

MICHAEL J. BARRY
STEPHEN A. ECENIA
RICHARD M. ELLIS
DIANA FERGUSON
MARTIN P. McDONNELL
J. STEPHEN MENTON
R. DAVID PRESCOTT

POST OFFICE BOX 551, 32302-0551
119 SOUTH MONROE STREET, SUITE 202
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788
TELECOPIER (850) 681-6515

HAROLD F. X. PURNELL
MARSHA E. RULE
GARY R. RUTLEDGE
MAGGIE M. SCHULTZ
GABRIEL F.V. WARREN

GOVERNMENTAL CONSULTANTS
RYAN J. ANDERSON

June 1, 2012

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

120166-TP

RECEIVED-FPSC
12 JUN - 1 AM 11:46
COMMISSION
CLERK

Re: Approval of Amendment to the Interconnection Agreement between
New Cingular Wireless PCS, LLC, and its commercial mobile radio
operating affiliates d/b/a AT&T Mobility, and Northeast Florida
Telephone Company d/b/a NEFCOM

Dear Ms. Cole:

Please find enclosed for filing and approval, two copies of the Amendment to the
Interconnection Agreement between New Cingular Wireless PCS, LLC, and its commercial
mobile radio service operating affiliates d/b/a AT&T Mobility, and Northeast Florida Telephone
Company d/b/a NEFCOM.

The underlying docket is 050843 filed on October 28, 2005.

If you have any questions please do not hesitate to contact me at the above telephone
number.

Very truly yours,

M.P. McDonnell
Martin P. McDonnell, Esq.

COM _____
APA _____
ECR _____
GCL 1
RAD 1
SRC _____
ADM _____
OPC _____
CLK _____

MPM/vp
Enclosures

DOCUMENT NUMBER DATE
03559 JUN -1 12
FPSC-COMMISSION CLERK

**Amendment to the Interconnection Agreement between New Cingular Wireless PCS, LLC,
and its Commercial Mobile Radio Service operating affiliates, d/b/a AT&T Mobility, and
Northeast Florida**

This is an Amendment ("Amendment") to the Interconnection Agreement between New Cingular Wireless PCS, LLC, a Delaware limited liability company, and its Commercial Mobile Radio Service ("CMRS") operating affiliates, d/b/a AT&T Mobility (hereafter "AT&T Mobility"), and Northeast Florida, jointly the "Parties".

RECITALS

WHEREAS, the Parties, or their predecessors in interest, previously entered into an Interconnection Agreement (the "Agreement"), pursuant to 47 U.S.C. 251/252; and

WHEREAS, the Federal Communications Commission, in an order released November 18, 2011, has provided that bill-and-keep shall be the default compensation arrangement between the Parties for the exchange of all Intra-MTA traffic, and that this is to be considered a change of law; and

WHEREAS, the Federal Communications Commission, in an order released December 23, 2011, has provided that such bill-and-keep arrangements, when requested before July 1, 2012, shall become effective July 1, 2012; and

WHEREAS AT&T Mobility elects to apply a bill-and-keep arrangement to all Intra-MTA traffic between the Parties; and

WHEREAS, the Agreement contains a "change of law" provision that authorizes the Parties to amend the Agreement to comport with a change in law; and

WHEREAS, the Parties desire to amend the Agreement to provide for a bill-and-keep arrangement, for the exchange of all Intra-MTA traffic between them, such bill-and-keep arrangement to become effective July 1, 2012;

AGREEMENT

NOW THEREFORE, in consideration of the premises and the mutual terms, covenants and conditions contained in this Amendment and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

Amendment Terms

1. From July 1, 2012, forward, all Intra-MTA traffic between the Parties shall be compensated pursuant to bill-and-keep rates, which means that the Parties will charge each other \$0.00 per minute of use ("bill and keep") for the transport and termination of the other's traffic pursuant to the Agreement. Under bill-and-keep, neither Party will issue a bill to the other party for the exchange of Intra-MTA traffic.
2. In the event the provisions of the FCC Order of November 18, 2011, as modified by the FCC Order of December 23, 2011, and the rules implementing these orders with respect to imposing bill-and-keep compensation for non-access (Intra-MTA) telecommunications traffic terminating after July 1, 2012, are reversed by a final decision of a Court of competent jurisdiction, that decision shall be treated as a subsequent change of law and incorporated into the provisions of the Agreement.
3. This Amendment shall be effective July 1, 2012.
4. This Amendment shall remain effective as long as the Agreement remains effective between the Parties.
5. The provisions of this Amendment, including the provisions of this sentence, may not be amended, modified or supplemented without the written consent thereto by both Parties' authorized representatives.
6. Except as expressly set forth herein, the terms and conditions of the Agreement shall remain in full force and effect without change.

The Parties, intending to be legally bound, have executed this Amendment as of the dates set forth below, in multiple counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

**New Cingular Wireless PCS, LLC,
and its Commercial Mobile Radio Service
operating affiliates, d/b/a AT&T Mobility**

Northeast Florida

By: W. Bernard Hill
(Name)

By: Debrah Deles
(Name)

Title: Lead Carrier Relations Manager

Title: VP of Regulatory Affairs

Date: May 23, 2012

Date: May 23, 2012