

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

July 3, 2012

HAROLD F. X. PURNELL
MARSHA E. RULE
GARY R. RUTLEDGE
MAGGIE M. SCHULTZ
GABRIEL F.V. WARREN
GOVERNMENTAL CONSULTANTS
RYAN J. ANDERSON

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

120185-TP

RECEIVED-FPSC
12 JUL -3 AM 10:50
COMMISSION
CLERK

Re: Approval of Amendment to the Interconnection and Reciprocal Compensation Agreement by and between Northeast Florida Telephone Company, Inc. and Sprint Spectrum, L.P. and Nextel South, Corp.

Dear Ms. Cole:

Please find enclosed for filing and approval, an original ~~and a copy~~ of the Amendment to the Interconnection and Reciprocal Compensation Agreement by and between Northeast Florida Telephone Company, Inc. and Sprint Spectrum, L.P. and Nextel South, Corp.

The underlying dockets are 060228 (Sprint) filed on March 14, 2006 and 060560 (Nextel) filed on April 27, 2006.

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.

TEL
COM MPM/vp
APA Enclosures
ECR
GCL
RAD \\NEFCOM\colejuly2nextelsprint.ltr.doc
SRC
ADM
OPC
CLK

DOCUMENT NUMBER DATE
04429 JUL -3 2012
FPSC-COMMISSION CLERK

**Amendment to the Interconnection and Reciprocal Compensation Agreement
By and Between
Northeast Florida Telephone Co., Inc.
and
Sprint Spectrum L.P. and Nextel South Corp.**

This Amendment ("Amendment") to the Interconnection and Reciprocal Compensation Agreement ("Interconnection Agreement") is entered by and between Sprint Spectrum L.P. and Nextel South Corp. ("Sprint") and Northeast Florida Telephone Co., Inc. ("Carrier"), Sprint and Carrier are further referred to herein individually as a "Party" and collectively as the "Parties".

RECITALS

WHEREAS, the Parties, or their predecessors in interest, previously entered into an Interconnection Agreement, pursuant to 47 U.S.C. 251/252, which was effective January 1, 2006 and amended on May 1, 2006; 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 non-access traffic, and that this is to be considered a change of law; and

WHEREAS, the Federal Communications Commission, in an order released December 23, 2011¹, has provided that such bill-and-keep arrangements, when requested before July 1, 2012, shall become effective July 1, 2012; and

WHEREAS Sprint elects to apply a bill-and-keep arrangement to all Local Telecommunications Traffic within the scope of the Interconnection Agreement between the Parties; and

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

WHEREAS, the Parties desire to amend the Interconnection Agreement to provide for a bill-and-keep arrangement, for the exchange of Local Telecommunications Traffic between them, such bill-and-keep arrangement to become effective July 1, 2012;

¹ *In the Matter of Connect America Fund, A National Broadband Plan for Our Future, Establishing Just and Reasonable Rates for Local Exchange Carriers, High-Cost Universal Service Support, Developing an Unified Intercarrier Compensation Regime, Federal-State Joint Board on Universal Service, Lifeline and Link-Up, Universal Service Reform – Mobility Fund*, WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45, WC Docket No. 03-109, WT Docket No. 10-208, "Report and Order and Further Notice of Proposed Rulemaking", FCC 11-161 (rel. Nov. 18, 2011) and "Order on Reconsideration", FCC 11-189 (rel. Dec. 23, 2011)

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:

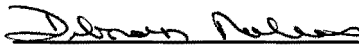
Amendment Terms

1. From July 1, 2012, forward, all Local Telecommunications 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 Interconnection Agreement. Under bill-and-keep, neither Party will issue a bill to the other party for the exchange of Local Telecommunications 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 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.
3. This Amendment shall be effective July 1, 2012.
4. This Amendment shall remain effective as long as the Interconnection 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.

Sprint Spectrum L.P. and Nextel South Northeast Florida Corp.

By: 
Paul Schieber

By: 
Deborah Nobles

Title: V.P. Access Strategy and Roaming Planning

Title: Vice President of Regulatory Affairs

Date: 6/18/12

Date: 6/28/12