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Ruth Nettles

From: Holland, Robyn P [rh0582@att.com]
Sent: Friday, September 26, 2008 9:09 AM
To: Filings@psc.state.fl.us
Subject: Amendment between AT&T and Covista

080608-TP

Attachments: 9100C_Sc.pdf



9100C_Sc.pdf
(159 KB)

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

From: YANT, ROBYN [mailto:robyn.holland@att.com]
Sent: Friday, September 26, 2008 8:55 AM
To: YANT, ROBYN
Subject: 9100C Scan

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September 25, 2008

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

Re: Approval of Amendment to the Interconnection, unbundling, resale and collocation Agreement between BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast and Covista, Inc.

Dear Mrs. Cole:

TX 574

Please find enclosed for filing and approval, the original and two copies of BellSouth Telecommunications, Inc d/b/a AT&T Florida d/b/a AT&T Southeast Amendment to Interconnection, unbundling, resale and collocation Agreement with Covista, Inc.

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

The underlying agreement was filed on January 27, 2006 in docket 060079-TP.

Very truly yours,

for Robyn Yant
Jerry D. Hendrix
Regulatory Vice President


**AMENDMENT TO
INTERCONNECTION AGREEMENT UNDER SECTIONS 251 AND 252 OF THE TELECOMMUNICATIONS ACT
OF 1996
BETWEEN
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
AND
COVISTA, INC.**

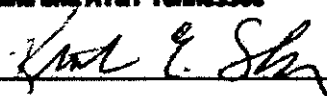
The Interconnection Agreement dated July 24, 2005 by and between BellSouth Telecommunications, Inc. d/b/a AT&T Alabama, AT&T Florida, AT&T Georgia, AT&T Kentucky, AT&T Louisiana, AT&T Mississippi, AT&T North Carolina, AT&T South Carolina and AT&T Tennessee ("AT&T") and Covista, Inc. ("Covista") ("Agreement") effective in the state(s) of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee is hereby amended as follows:

1. The Parties agree that ~~AT&T-9STATE~~ shall be defined as the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee.
2. Section 2.1 of the General Terms and Conditions is amended by adding the following section:
 - 2.1.1 Notwithstanding anything to the contrary in this section 2.1, the original expiration date of this Agreement, as modified by this Amendment, will be extended for a period of three (3) years from 7/23/2008 until 7/23/2011 (the "Extended Expiration Date"). The Agreement shall expire on the Extended Expiration Date; provided, however, that during the period from the effective date of this Amendment until the Extended Expiration Date, the Agreement may be terminated earlier either by written notice from Covista, by AT&T pursuant to the Agreement's early termination provisions, or by mutual agreement of the parties.
3. The Agreement is also amended as follows to reflect prior changes of law, and Covista acknowledges and agrees that it will promptly amend the Agreement to reflect future changes of law as and when they may arise.
4. EXCEPT AS MODIFIED HEREIN, ALL OTHER TERMS AND CONDITIONS OF THE UNDERLYING AGREEMENT SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
5. In entering into this Amendment neither Party waives, and each Party expressly reserves, any rights, remedies or arguments it may have at law or under the intervening law or regulatory change provisions in the underlying Agreement (including intervening law rights asserted by either Party via written notice predating this Amendment) with respect to any orders, decisions, legislation or proceedings and any remands thereof, which the Parties have not yet fully incorporated into this Agreement or which may be the subject of further review.
6. This Amendment shall be filed with and is subject to approval by the Commission(s) and shall become effective on the date of the last signature executing the Amendment

Covista, Inc.

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

By: 
 Name: THOMAS W. BRINKMAN
 (Print or Type)
 Title: V.P. Local & Regulatory
 (Print or Type)
 Date: 9/3/2008

By: 
 Name: Kristen E. Shore
 Title: Director
 Date: 9/11/08

| | <u>OCN #</u> | <u>ACNA</u> | | <u>OCN #</u> | <u>ACNA</u> |
|-----------|--------------|-------------|----------------|--------------|-------------|
| ALABAMA | <u>169C</u> | <u>TTV</u> | MISSISSIPPI | <u>168C</u> | <u>TTV</u> |
| FLORIDA | <u>170C</u> | <u>TTV</u> | NORTH CAROLINA | <u>175C</u> | <u>TTV</u> |
| GEORGIA | <u>171C</u> | <u>TTV</u> | SOUTH CAROLINA | <u>174C</u> | <u>TTV</u> |
| KENTUCKY | <u>172C</u> | <u>TTV</u> | TENNESSEE | <u>467C</u> | <u>TTV</u> |
| LOUISIANA | <u>173C</u> | <u>TTV</u> | | | |