

State of Florida



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Public Service Commission

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COMMISSION
CLERK

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

DATE: December 11, 2008

TO: Docket File

FROM: Jeff Bates (Division of Regulatory Compliance) *JB SAS*
Victor McKay (Office of the General Counsel) *VSM*

RE: Docket No. 080583-TP – Notice of adoption, and Amendment No. 1, to interconnection, unbundling and resale agreement between GTE Florida Incorporated n/k/a Verizon Florida LLC and KMC Telecom II, Inc. by PaeTec Communications, Inc.

By letter received September 10, 2008, Verizon Florida LLC filed a petition for approval of adoption, and Amendment No. 1, of the existing interconnection, unbundling, and resale agreement with KMC Telecom II, Inc. which was approved by the Commission in Docket No. 980892-TP. PaeTec Communications, Inc. is adopting the existing interconnection, unbundling, and resale agreement deemed approved by the Commission 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.

Staff reviewed the agreement in this Docket on December 1, 2008. The filing met the criteria outlined in Section 2.07.C.5.d of the Administrative Procedures Manual in that it complies with both Sections 252(e)(4) and 252(i) of the Act. Accordingly, with this Memorandum, the docket is hereby closed.)

OK to close 12/16/08 hws

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

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