# **Diamond Williams**

	From:	Cooper, Roberta G [Roberta.G.Cooper@CenturyLink.com]
	Sent:	Tuesday, September 28, 2010 1:55 PM
	То:	Filings@psc.state.fl.us
	Cc:	Masterton, Susan S; Feeney, Kathryn L
	Subject:	Notice of Adoption of IUCR Agreement by Comity Communications, LLC
	Attachments:	Notice of Adoption-Comity Communications 9-28-10.pdf

Filed on Behalf of: Susan S. Masterton Senior Counsel CenturyLink 315 S. Calhoun Street, Suite 500 Tallahassee, FL 32301 Telephone: 850/599-1560 Email: susan.masterton@centurylink.com

100406-TP

Docket No. N/A

Title of filing: Notice of Adoption of Interconnection, Unbundling, Collocation and Resale Agreement between Birch Communications, Inc. and Embarq Florida, Inc. d/b/a CenturyLink by Comity Communications, LLC

Filed on behalf of: CenturyLink

No of pages: <u>3</u>

Description: Notice of Adoption of Interconnection, Unbundling, Collocation and Resale Agreement between Birch Communications, Inc. and Embarq Florida, Inc. d/b/a CenturyLink by Comity Communications, LLC

COM APA ECR GCL RAD	Roberta Cooper Legal Secretary to Susan Masterton and Jeanne Stockman Voice: 850-599-1563  Fax: 850-224-0794 Email: <u>Roberta.G.Cooper@centurylink.com</u> <u>315_S. Calhoun Street, Suite 500   Tallahassee, FL 32301</u> Mailstop: FLTLHZ0501-5001	
SSC ADM OPC CLK	This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any rev by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), p detere all copies of the message.	Kennessen – Lesten and 8098 SEP 28 ⊆ FPSC-JCH, JOSIUR CLEAR



Susan S. Masterton Senior Counsel FLTLHZ0501-507 315 S. Calhoun St., Suite 500 Tallahassee, FL 32301 Tel: 850.599.1560

September 28, 2010

# FILED ELECTRONICALLY

Ms. Ann Cole Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

100406-TP

Re: Notice of Adoption of Interconnection, Unbundling, Collocation and Resale Agreement between Birch Communications, Inc. and Embarq Florida, Inc. d/b/a CenturyLink by Comity Communications, LLC

Dear Ms. Cole:

Embarq Florida, Inc. d/b/a CenturyLink hereby provides notice to the Florida Public Service Commission of the adoption by Comity Communications, LLC of the Interconnection, Unbundling, Collocation and Resale Agreement for the State of Florida entered into by Birch Communications, Inc. and Embarq Florida, Inc. d/b/a CenturyLink which was filed with the Commission in Docket No. 080679. Comity Communications, LLC is adopting the agreement as provided by Section 252(i) of the Telecommunications Act of 1996.

If you have any questions on this matter, please contact my assistant Roberta Cooper at 850-599-1563.

Sincerely,

Shows hotely

Susan S. Masterton

cc: Comity Communications, LLC Stevin Dahl, CEO 3816 Ingersoll Avenue Des Moines, Iowa 50312

## INTERCONNECTION AND RESALE AGREEMENT

This Interconnection and Resale Agreement ("Agreement"), dated September 9, 2010, is entered into by between Comity Communications, LLC, a Nevada limited liability company ("CLEC"), and Embarq Florida, Inc. d/b/a CenturyLink, a Florida corporation, ("CenturyLink") to establish the rates, terms and conditions for local interconnection, local resale and the purchase of unbundled network elements for the state of Florida. (CenturyLink and CLEC may be referred to individually as a "Party" and collectively as the "Parties").

NOW THEREFORE, the Parties agree as follows:

## 1. INTERCONNECTION AND RESALE AGREEMENT

The Parties agree that the Agreement between the Parties shall consist of the Interconnection, Resale and Collocation Agreement between Embarg Florida, Inc. and Birch Communications, Inc. dated September 25, 2008 (the "Adopted Agreement").

All services provided under this Agreement will be consistent with the decisions of courts having jurisdiction over this Agreement, including but not limited to the decisions of the Court of Appeals and the United States Supreme Court.

## 2. PARTIES:

CLEC is hereby substituted in the Adopted Agreement for Birch Communications, Inc., and CenturyLink shall remain as the other Party to the Adopted Agreement. Except as modified herein, the Agreement shall in all other respects reflect the same terms as the Adopted Agreement.

### 3. TERM:

This termination date of the Agreement is June 30, 2012.

### 4. NOTICES:

Except as otherwise provided, all notices and other communication hereunder shall be deemed to have been duly given when made in writing and delivered in person or deposited in the United States mail, certified mail, postage paid, return receipt requested and addressed as follows:

To CLEC :

Stevin Dahl CEO Comity Communications, LLC 3816 Ingersoll Avenue Des Moines, Iowa 50312

Comity Communications, LLC – Adoption of Birch Communications, Inc. ICRA 1 Florida 9/9/10 - 6/30/12 DOCUMENT NO.

TPSC - COMMISSION CLERK

DATE

To CenturyLink:

Director – Contract Management CenturyLink KSOPKJ0201-2076 5454 W. 110th Street Overland Park, KS 66211

**IN WITNESS WHEREOF**, the Parties hereto have caused this Agreement to be executed by their duly respective authorized representatives.

Comity Communicat	ions, LLC	Embarq Florida, Inc. ,	
By: <u>Huni</u>	Dell, coo	By: Muluus	
Name <u>: Stevin Dahl</u>		Name: Michael R. Hunsucker	
Title: CEO		Title: Director – Contract Management	
Date: <u>8-1</u>	9-10	Date: 8-29-10	