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BellSouth Telecommunications, Inc.
Suite 400
150 South Monroe Street
Tallahassee, Florida 32301-1556

850 224-7798
Fax 850 224-5073

Marshall M. Criser III
Regulatory Vice President

RECORDS AND
REPORTING

February 11, 2000

060177 -TP

Mrs. Blanca S. Bayo
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

Re: Approval of an Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. ("BellSouth") and Florida Digital Network pursuant to Sections 251, 252 and 271 of the Telecommunications Act of 1996

Dear Mrs. Bayo:

Pursuant to section 252(e) of the Telecommunications Act of 1996, BellSouth and Florida Digital Network are submitting to the Florida Public Service Commission an amendment to their negotiated agreement for the interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to Florida Digital Network. The Commission approved the initial agreement between the companies in Order No. 98-1327-FOF-TP issued October 12, 1999 in Docket 980908-TP.

Pursuant to section 252(e) of the Act, the Commission is charged with approving or rejecting the negotiated agreement between BellSouth and Florida Digital Network within 90 days of its submission. The Act provides that the Commission may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity. Both parties aver that neither of these reasons exist as to the agreement they have negotiated and therefore, are very hopeful that the Commission shall approve their agreement.

Very truly yours,

Marshall M. Criser III

Regulatory Vice President

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ATTACHMENT TO TRANSMITTAL LETTER

The Amendment entered into by and between Florida Digital Network, Inc. and BellSouth Telecommunications, Inc., dated 01/11/2000, for the state of Florida consists of the following:

ITEM	NO. PAGES
Amendment	2
TOTAL	2

**AMENDMENT
TO THE
AGREEMENT BETWEEN
FLORIDA DIGITAL NETWORK, INC.
AND
BELLSOUTH TELECOMMUNICATIONS, INC.
DATED July 1, 1998**

Pursuant to this Agreement, (the "Amendment"), Florida Digital Network ("FDN"), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Agreement between the Parties dated July 1, 1998 (Agreement").

WHEREAS, The Parties entered into an Agreement to adopt in its entirety the MCImetro Access Transmission Services, Inc. ("MCIIn") and BellSouth Telecommunications, Inc. ("BellSouth") Interconnection Agreement dated June 3, 1997, and all amendments to said agreement executed and approved by the appropriate state regulatory commission as of the date of the execution of this Agreement,

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. BellSouth shall make Dark Fiber available to FDN under the following terms:

Dark Fiber

- 1.1 BellSouth agrees to offer access to Dark Fiber pursuant to the terms and conditions following and at the rates set forth in Table 1 below. BellSouth is not required to place the fibers if there are no fibers available. The Parties agree that Dark Fiber will be used in the provisioning of local service.
- 1.2 Dark Fiber is unused strands of optical fiber. It may be strands of optical fiber existing in aerial or underground structure. No line terminating elements terminated to such strands to operationalize its transmission capabilities will be available. No regeneration or optical amplification will be included with this element.
- 1.3 Requirements
 - 1.3.1 BellSouth shall make available Dark Fiber where it exists in BellSouth's network and where, as a result of future building or deployment, it becomes available. BellSouth shall offer all Dark Fiber to FDN pursuant to the prices set forth in this Attachment.
 - 1.3.2 FDN may test the quality of the Dark Fiber to confirm its usability and performance specifications.

- 1.3.3 BellSouth shall use its best efforts to provide to FDN information regarding the location, availability and performance of Dark Fiber within ten (10) business days for a records based answer and twenty (20) business days for a field based answer, after receiving a request from FDN ("Request"). Within such time period, BellSouth shall send written confirmation of availability of the Dark Fiber ("Confirmation").
- 1.3.4 BellSouth shall use its best efforts to make Dark Fiber available to FDN within thirty (30) business days after it receives written confirmation from FDN that the Dark Fiber previously deemed available by BellSouth is wanted for use by FDN. This includes identification of appropriate connection points (e.g., Light Guide Interconnection (LGX) or splice points) to enable FDN to connect or splice FDN provided transmission media (e.g., optical fiber) or equipment to the Dark Fiber.

TABLE 1

DARK FIBER		USOC	FL
Per four fiber strands, per route mile or fraction thereof, per month		UBNAX	\$55.35
	NRC - Per each four-fiber dry fiber arrangement - 1st	UBNAX	\$1,715.61
	NRC - Per each four-fiber dry fiber arrangement - Add'l	UBNAX	\$622.68

3. All of the other provisions of the Agreement, dated July 1, 1998, shall remain in full force and effect.

4. Either or both of the Parties is authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

Florida Digital Network, Inc.

By: *Ryan Hand*

Name: *RYAN HAND*

Title: *VP OPS/ENG*

Date: *12/21/99*

BellSouth Telecommunications, Inc.

By: *Jerry Hendrix*

Name: *Jerry Hendrix*

Title: *Senior Director*

Date: *1/11/00*

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYO
DIRECTOR
(850) 413-6770

Public Service Commission

February 14, 2000

Marshall M. Criser III, Regulatory Vice President
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

Re: Docket No. 000177-TP

Dear Mr. Criser:

This will acknowledge receipt of a request by BellSouth Telecommunications, Inc. for approval of amendment to existing interconnection, unbundling, and resale agreement between BellSouth Telecommunications, Inc. and Florida Digital Network, Inc., which was filed in this office on February 11, 2000 and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6078 or FAX (850) 413-6079.

Division of Records and Reporting
Florida Public Service Commission