ORIGINAL



BellSouth Telecommunications, Inc.

Suite 400

150 South Monroe Street Tallahassee, FL 32301-1556

marshall.criser@bellsouth.com

Marshall M. Criser III

Vice President Regulatory & External Affairs

850 224 7798 Fax 850 224 5073

COMMISSION

NECEVED TO

June 30, 2004

Mrs. Blanca S. Bayo

Director, Division of Commission Clerk and Administrative Services

Florida Public Service Commission 2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

040663 - 11

Re: Approval of Amendment to the Interconnection, Unbundling, Resale and Collocation Agreement between BellSouth Telecommunications, Inc. ("BellSouth") and Cinergy Communications Company

Dear Mrs. Bayo:

Please find enclosed for filing and approval, the original and two copies of BellSouth Telecommunications, Inc.'s Amendment to Interconnection, Unbundling, Resale and Collocation Agreement with Cinergy Communications Company

If you have any questions, please do not hesitate to call Robyn Holland at (850) 222-9380.

Very truly yours,

Management Marse 19 / P-W

RECEIVED & FILED

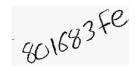
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Amendment to the Agreement Between Cinergy Communications Company and BellSouth Telecommunications, Inc. Dated February 26, 2003



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Pursuant to this Amendment, (the "Amendment"), Cinergy Communications Company ("Cinergy"), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated February 26, 2003, ("Agreement") to be effective thirty (30) calendar days after the date of the last signature executing the Amendment.

WHEREAS, BellSouth and Cinergy entered into the Agreement on February 26, 2003, and;

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. The parties agree to add the following provision to Attachment 2, Section 4.3 and the associated rates as set forth in Exhibit 1 of this Amendment, attached hereto and incorporated herein by this reference.
 - 4.3.1.1 Where Cinergy utilizes portions of the BellSouth network in originating or terminating traffic, the Tandem Switching rates are applied in call scenarios where the Tandem Switching Network Element has been utilized. Because switch recordings cannot accurately indicate on a per call basis when the Tandem Switching Network Element has been utilized for an interoffice call originating from a UNE port and terminating to a BellSouth, Independent Company or Facility-Based CLEC office, BellSouth has developed, based upon call studies, a melded rate that takes into account the average percentage of calls that utilize Tandem Switching in these scenarios. BellSouth shall apply the melded Tandem Switching rate for every call in these scenarios. BellSouth shall utilize the melded Tandem Switching Rate until BellSouth has the capability to measure actual Tandem Switch usage in each call scenario specifically mentioned above, at which point the rate for the actual Tandem Switch usage shall apply. The UNE Call Flows set forth on BellSouth's website, as amended from time to time and incorporated herein by this reference, illustrate when the full or melded Tandem Switching rates apply for specific scenarios.
- 2. All of the other provisions of the Agreement, dated February 26, 2003, shall remain in full force and effect.
- 3. Either or both of the Parties are 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.

General Terms and Conditions Signature Page

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year written below.

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Title:

BellSouth Telecommunications, Inc.

Cinergy Communications Company

Name: Kristen E. Rowe

Director

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Date: 4/3c/t4

Name: John P. Cinelli

Title: President

Date: April 28 2004

Approved as to form
Legal

By Date 4/2 < loy

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