

Nancy B. White  
General Counsel - Florida

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(305) 347-5558

June 22, 2005

Mrs. Blanca S. Bayó  
Director, Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No.: 040779-TP  
Notice of the Adoption of Existing Interconnection,  
Unbundling, Resale and Collocation Agreement between  
BellSouth Telecommunications, Inc. and Network Telephone  
Corporation by Z-Tel Communications, Inc.**

Dear Ms. Bayó:

Enclosed is BellSouth Telecommunications, Inc.'s Proposed Stipulated Facts, which we ask that you file in the captioned docket. BellSouth's understanding is that, with the exception of paragraph 8, Z-Tel is agreeable to this stipulation.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

  
Nancy B. White

cc: All Parties of Record  
Marshall M. Criser III  
R. Douglas Lackey

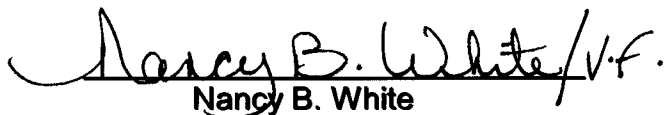
**CERTIFICATE OF SERVICE  
DOCKET NO. 040779-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and First Class U.S. Mail this 22nd day of June, 2005 to the following:

Jason Rojas  
Victor McKay  
Staff Counsels  
Florida Public Service  
Commission  
Division of Legal Services  
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Tallahassee, FL 32399-0850  
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Peggy Rubino  
Vice President  
Z-Tel Communications, Inc.  
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[prubino@z-tel.com](mailto:prubino@z-tel.com)

  
Nancy B. White

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Notice of the Adoption Existing )  
Interconnection, Unbundling, Resale and ) Docket No.: 040779-TP  
Collocation Agreement between BellSouth )  
Telecommunications, Inc. and Network )  
Telephone Corporation by Z-Tel )  
Communications, Inc. )  
\_\_\_\_\_ ) Dated: June 22, 2005

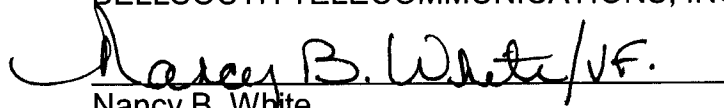
**PROPOSED STIPULATED FACTS OF  
BELLSOUTH TELECOMMUNICATIONS, INC.**

1. Z-Tel adopted the MCI WorldCom Communications Interconnection Agreement with BellSouth for Florida dated September 12, 2001; as a result, BellSouth and Z-Tel were parties to an interconnection agreement in Florida with an effective date of April 18, 2003 and an expiration date of September 11, 2004.
2. On January 21, 2004, BellSouth requested negotiations with Z-Tel for a new interconnection agreement.
3. On February 19, 2004, BellSouth sent Z-Tel a copy of BellSouth's proposed agreement.
4. On February 20, 2004, BellSouth forwarded a second request to Z-Tel for negotiations.
5. On March 22, 2004, BellSouth sent Z-Tel a third request for negotiations.
6. On April 20, 2004, BellSouth contacted Z-Tel once more with a fourth request for negotiations.
7. From January 21, 2004 through May 20, 2004, Z-Tel and BellSouth had numerous discussions about a successor agreement.

8. During these discussions, BellSouth requested that Z-Tel negotiate an Interconnection Agreement or adopt an existing Interconnection Agreement that was compliant with current law.
9. On July 22, 2004, Z-Tel filed a notice with this Commission that it had adopted the interconnection agreement between BellSouth and Network Telephone in its entirety.
10. BellSouth did not agree to Z-Tel's adoption and BellSouth objected to that adoption with this Commission.
11. In early August 2004, BellSouth indicated it would agree to Z-Tel's adoption of the Network Telephone and BellSouth Interconnection Agreement if Z-Tel agreed to replace in its entirety Attachment 2, UNEs, of the Network Telephone and BellSouth Interconnection Agreement.
12. Network Telephone and BellSouth continue to operate under the same interconnection agreement that Z-Tel adopted.
13. The last amendment to the interconnection agreement between BellSouth and Network Telephone is dated May 20, 2005 and was effective May 24, 2005. The BellSouth/Network Telephone agreement has not been amended to reflect the *Triennial Review Order* or the *Triennial Review Remand Order*.

Respectfully submitted this 22nd day of June, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

Handwritten signature of Nancy B. White in cursive, written over a horizontal line.

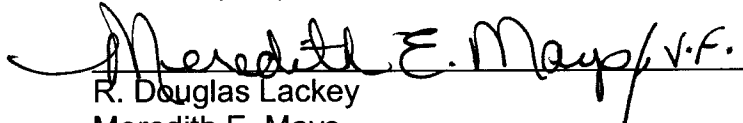
Nancy B. White

c/o Nancy H. Sims

150 South Monroe Street, Suite 400

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Tel. No. (305) 347-5558

Handwritten signature of Meredith E. Mays in cursive, written over a horizontal line.

R. Douglas Lackey

Meredith E. Mays

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