



**ORIGINAL**  
**Public Service Commission**

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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

**DATE:** August 13, 2006

**TO:** Docket File

**FROM:** Jeff Bates (Division of Competitive Markets and Enforcement) *JB*  
Victor McKay (Office of the General Counsel) *VSM Pkm* **SAS**

**RE:** Docket No. 070307-TP - Request for approval of resale agreement between Embarq Florida, Inc. and T3 Communications, LLC d/b/a Tier 3 Communications d/b/a Naples Telephone and d/b/a Fort Myers Telephone.

By letter received May 11, 2007, Embarq Florida, Inc. filed a request for approval of the resale agreement with T3 Communications, LLC d/b/a Tier 3 Communications d/b/a Naples Telephone and d/b/a Fort Myers Telephone. Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(e)(4) requires the state to reject or approve the agreement within 90 days after submission or it shall be deemed approved. The statutory deadline for the Commission to take action on this matter was August 9, 2007.

Staff reviewed the agreement in this Docket on May 29, 2007. The agreement met the criteria outlined in Section 2.07.C.5.d of the Administrative Procedures Manual. Therefore, it has gone into effect by operation of law in accordance with Section 252(e)(4) of the Telecommunications Act of 1996. Accordingly, with this Memorandum, the docket is hereby closed.

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

*OK to close  
8-13-07  
H/W*

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