

State of Florida
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Public Service Commission

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DATE: August 8, 2002
TO: Docket File
FROM: Sally Simmons (Division of Competitive Markets and Enforcement) *SAS*
Jessica Elliott (Office of the General Counsel) *JPE ALC*
RE: Docket No. 020405-TP - Request for approval of negotiated interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and Winstar Communications, LLC and the adoption of the underlying interconnection agreement and selected attachments to the agreement between BellSouth Telecommunications, Inc. and ICG Telecom Group, Inc. by Winstar Communications, LLC.

By letter dated May 7, 2002, Winstar Communications, LLC filed a request for approval of interconnection, unbundling, resale, and collocation agreement entered into between BellSouth and Winstar Communications, LLC, including the adoption of the underlying interconnection agreement and selected attachments to the agreement between BellSouth Telecommunications, Inc. and ICG Telecom Group, Inc. which was deemed approved by the Commission in Docket No. 990691-TP. Winstar Communications, LLC is adopting the selected attachments approved by the Commission pursuant to Section 252(i) of the Telecommunications Act of 1996.

Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(i) requires that a local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved by the state commission to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement in its entirety.

Staff reviewed the agreement in this Docket on July 29, 2002. The filing met the criteria outlined in both Sections 2.07.C.15 and 2.07.C.17 of the Administrative Procedures Manual in that it complies with both Sections 252(e)(4) and 252(i) of the Act. Accordingly, with this Memorandum, the docket is hereby closed.

Allowing this agreement to go into effect should not be construed as a determination by the Commission that BellSouth has met the requirements of Section 271 of the Act.

CC: Division of the Commission Clerk and Administrative Services (S. Moses)

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