

State of Florida

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# Public Service Commission

CLERK

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DATE: August 30, 2001  
TO: Docket File  
FROM: Kim Logue (Division of Competitive Services) *KL*  
Kimberley Peña (Division of Legal Services) *KMP* *JP*  
RE: Docket No.010794-TPPetition for approval of interim traffic termination and billing agreement between Smart City Telecommunication LLC d/b/a Smart City Telecom and KMC Telecom II, Inc., KMC Telecom III, Inc., and KMC Telecom V, Inc.

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By letter dated June 1, 2001, Smart City Telecommunication LLC filed a Request for approval of interim traffic termination and billing agreement entered into between Smart City Telecommunication LLC and KMC Telecom II, Inc., KMC Telecom III, Inc., and KMC Telecom V, Inc. 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 30, 2001.

Staff reviewed the agreement in this Docket on June 6, 2001. The agreement met the criteria outlined in Section 2.07.C.17 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: Records & Reporting (S. Moses)

*OK*

*SM*

*8/29/01*

DOCUMENT NUMBER - DATE

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