

State of Florida



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# Public Service Commission

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COMMISSION  
CLERK

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

**DATE:** July 10, 2009

**TO:** Docket File

**FROM:** Jeff Bates (Division of Regulatory Compliance) *JB*  
Victor McKay (Office of the General Counsel) *at Vsm*

**RE:** Docket No. 090308-TP – Request for approval of adoption of existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Hypercube Telecom, LLC by The Ultimate Connection, L.C. d/b/a DayStar Communications.

By letter received May 12, 2009, BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast filed a request for approval of adoption of existing interconnection, unbundling, resale, and collocation agreement between BellSouth and Hypercube Telecom, LLC which was deemed approved by the Commission in Docket No. 050466-TP. The Ultimate Connection, L.C. d/b/a DayStar Communications. is adopting the interconnection, unbundling, resale, and collocation agreement 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. . Any exception to said obligation is governed by 47 C.F.R. § 51.809(b) and may be filed when such exception exists.

Staff reviewed the agreement in this Docket on July 9, 2009. The filing met the criteria outlined in Section 2.07.C.5.b of the Administrative Procedures Manual in that it complies with Section 252(i) of the Act. This adoption is thereby deemed acknowledged as effective. Accordingly, with this Memorandum, the docket is hereby closed.

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

*ok to close  
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n/g*

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