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Lacoste, David

From: Mattison, Jeanette [Jeanette.Mattison@BELLSOUTH.COM]
Sent: Tuesday, November 09, 2004 11:54 AM
To: Lacoste, David
Subject: 2000-29-C 3rd Amendment to Interconnection Agreement with DukeNet Communications

8017219a.pdf (30 KB)

BELLSOUTH

1600 Williams Street, Suite 5200

Columbia, South Carolina 29201

November 9, 2004

Mr. David Lacoste
Public Service Commission of SC
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: Third Amendment to Interconnection Agreement Negotiated by BellSouth Telecommunications,
Inc. and DukeNet Communications, LLC pursuant to Sections 251 and 252 of the Telecommunications
Act of 1996
Docket No. 2000-29-C

Dear Mr. Lacoste:

Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, BellSouth Telecommunications, Inc. ("BellSouth") and DukeNet Communications, LLC. ("DukeNet") submit to the South Carolina Public Service Commission the third executed amendment to the interconnection agreement by and between BellSouth and DukeNet.

The effective date of this amendment is November 24, 2004 and it expires on February 28, 2007.

Very truly yours,

s/C. Lesley Addis

CLA/jbm
Enclosures

\\PSC-FP-01\Common\Public\Utilities\Interconnection Agreements\BellSouth\DukeNet 2000-29-C

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Amendment
To the
Interconnection Agreement
Between
DukeNet Communications, LLC
and
BellSouth Telecommunications, Inc.
Dated February 29, 2004

Pursuant to this Amendment, (the "Amendment"), DukeNet Communications, LLC ("DukeNet"), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated February 29, 2004 ("Agreement") to be effective 30 days after the date of the last signature executing the Amendment.

WHEREAS, BellSouth and DukeNet entered into the Agreement on February 29, 2004, and;

WHEREAS, BellSouth and DukeNet are amending the Agreement to modify Local Number Portability (LNP) recovery charge pursuant to the Order in the matter of the Telephone Number Portability BellSouth Corporation Petition for Declaratory Ruling and/or Waiver, CC Docket No. 95-116, released April 13, 2004;

NOW, THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. The Parties agree to delete in their entirety all rate elements and USOCs identified as "Local Number Portability charges" in Exhibit A of Attachment 2, as specified by the following USOCs: LNPCX, LNPCP, LNPCN, and LNPCC.

2. The Parties agree to add the following language to Sections 4 and 5, as new Sections 4.6 and 5.5, respectively, of Attachment 2:

   - In addition to other charges specified in this Agreement for Local Number Portability DukeNet shall pay to BellSouth the Local Number Portability charges as set forth in Section 13 of the BellSouth FCC No. 1 Tariff;

3. All of the other provisions of the Agreement dated February 29, 2004 shall remain unchanged and in full force and effect.

4. Either or both of the Parties are authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.