
Business Markets

675 West Peachtree Street
Atlanta, Georgia 30375

**Carrier Notification
SN91086096**

Date: May 5, 2006

To: Competitive Local Exchange Carriers (CLEC)

Subject: CLECs – (Interconnection/Contractual) – Interconnection Agreements in Alabama that are Not Compliant with the Federal Communication Commission’s Triennial Review Order and Triennial Review Remand Order

On April 20, 2006, the Alabama Public Service Commission (“APSC”) issued its Final Order Resolving Disputed Issues in Docket No. 29543 (“Order”). Importantly, the Order binds both parties and non-parties to the Commission’s conclusions in this proceeding.

As a result, on or before Wednesday, May 10, 2006, BellSouth will send Change of Law amendments to incorporate the APSC’s approved language to all CLECs operating in Alabama under an Interconnection Agreement with BellSouth that is not compliant with the Federal Communications Commission’s (FCC) Triennial Review Order (“TRO”)/Triennial Review Remand Order (“TRRO”). All affected CLECs must return executed amendments by Tuesday, May 16, 2006, in order for BellSouth to complete the necessary processes, which includes, but is not limited to, filing the amendments with the APSC by the APSC’s deadline of Friday, May 19, 2006.

It is important that all CLECs operating in Alabama without TRO/TRRO compliant Interconnection Agreements execute these amendments within this timeframe, because many of the joint issues in this proceeding arise out of the FCC’s TRRO. As such, all CLECs are subject to the FCC’s transition period that ended on March 10, 2006, for all switch ports, Unbundled Network Element-Platform (UNE-P) arrangements and high capacity loops and transport located in unimpaired wire centers.

The APSC’s Order specifically states “[f]or CLECs that failed to identify their embedded base by March 10, 2006 (for local circuit switching, high capacity loops and transport) and, fail to do so by September 10, 2006 (for dark fiber loops and transport), BellSouth will be permitted to identify and convert such arrangements itself...”¹. Additionally, pursuant to the APSC’s approved contract language,² for Embedded Base circuits (UNE-P, DS1 and DS3 loops and dedicated transport) and Excess DS1 and DS3 loops and dedicated transport converted, applicable recurring tariff charges will apply to each circuit as of March 11, 2006.

With this Carrier Notification letter, BellSouth posts the approved wire center list for the state of Alabama per the APSC’s order. The wire centers on this list are those that the APSC has deemed unimpaired. Pursuant to the APSC’s Order, CLECs must transition existing high capacity UNE loops

¹ Order, p. 13

² Appendix C of the Order, pp 17-23.

and transport in these wire centers to alternative arrangements, and the rate for the tariffed equivalent service for the impacted UNEs in these wire centers will apply as of March 11, 2006.

To the extent that any affected CLEC wishes to negotiate language to implement Issue 31, "[w]hat language should be used to incorporate the FCC's ISP Remand Core Forbearance Order into interconnection agreements," please contact your BellSouth negotiator to initiate such negotiations.

Sincerely,

ORIGINAL SIGNED BY KRISTEN E. SHORE

Kristen E. Shore – Director
Business Markets

Attachment

Alabama Unimpaired Wire Center List
(pursuant to Final Order Resolving Disputed Issues in Docket 29543)

				Interoffice Transport		High Capacity Loops	
State	Wire Center	Total Business Lines	Number of FB Collocators if 3 or Greater	Tier 1	Tier 2	No Impairment for DS3	No Impairment for DS1
AL	BRHMALMT	39,078	-	X			
AL	MTGMALDA	32,752	-		X		
AL	MTGMALMT	27,528	-		X		
AL	HNVIALMT	26,690	-		X		
AL	MOBLALAZ	20,101	5	X			