

**BEFORE THE TENNESSEE REGULATORY AUTHORITY AT  
NASHVILLE, TENNESSEE**

<b>IN RE:</b>	<b>July 20, 2001</b>	)	
		)	
<b>APPROVAL OF THE AMENDMENT TO THE</b>		)	<b>DOCKET NO.</b>
<b>INTERCONNECTION AGREEMENT NEGOTIATED</b>		)	<b>01-00421</b>
<b>BY BELL SOUTH TELECOMMUNICATIONS, INC.</b>		)	
<b>AND BIRCH TELECOM OF THE SOUTH, INC.</b>		)	
<b>PURSUANT TO SECTIONS 251 AND 252 OF THE</b>		)	
<b>TELECOMMUNICATIONS ACT OF 1996</b>		)	

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**ORDER APPROVING AMENDMENT TO INTERCONNECTION AGREEMENT**

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This matter came before the Tennessee Regulatory Authority (the "Authority") upon the Petition for approval of the Amendment to the Interconnection Agreement (the "Amendment") negotiated by and between BellSouth Telecommunications, Inc. ("BellSouth") and Birch Telecom of the South, Inc. ("Birch"). The Petition for approval of the Amendment came before the Authority pursuant to 47 U.S.C. §§ 251-252.

The original Interconnection Agreement was filed with the Authority on October 12, 2000, Docket No. 00-00904. It was approved at a regularly scheduled Authority Conference held on December 5, 2000. On January 19, 2001, the parties filed an Amendment to this Interconnection Agreement, Docket No. 01-00074, which was approved by the Authority at an Authority Conference held on March 20, 2001.

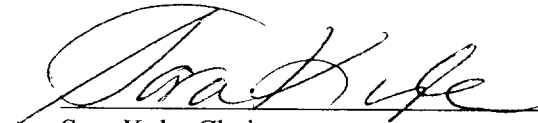
The Amendment, filed on May 10, 2001, was considered at a regularly scheduled Authority Conference held on July 10, 2001, in Nashville, Tennessee before Chairman Sara Kyle, Director H. Lynn Greer, Jr., and Director Melvin J. Malone. The Authority has jurisdiction over public utilities pursuant to Tenn. Code Ann. § 65-4-104 *et seq.* Based upon the Petition, the record in this matter, and

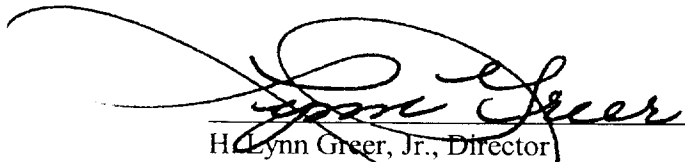
the standards for review set forth in 47 U.S.C. §§ 251-252, the Directors unanimously approved the Amendment and made the following findings and conclusions:

- 1) The Amendment is in the public interest as it provides consumers with alternative sources of telecommunications services within the BellSouth service area;
  - 2) The Amendment is not discriminatory to telecommunications service providers that are not parties thereto;
  - 3) No party has sought intervention in this docket;
  - 4) Approval of the Amendment is consistent with previous Authority decisions and orders;
- and
- 5) The Amendment and the Interconnection Agreement are reviewable by the Authority pursuant to 47 U.S.C. §§ 251-252 and Tenn. Code Ann. § 65-4-104 *et seq.*

**IT IS THEREFORE ORDERED THAT:**

The Amendment to the Interconnection Agreement negotiated between BellSouth Telecommunications, Inc. and Birch Telecom of the South, Inc. is approved and is subject to the review of the Authority as provided herein.

  
Sara Kyle, Chairman

  
H. Lynn Greer, Jr., Director

  
Melvin J. Malone, Director

ATTEST:

  
K. David Waddell, Executive Secretary