

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

January 26, 2006

IN RE

**PETITION FOR APPROVAL OF THE AMENDMENT
TO THE INTERCONNECTION AGREEMENT
BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC
AND PREFERRED CARRIER SERVICES, INC**

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**DOCKET NO
02-01297**

ORDER CANCELING APPROVAL OF INTERCONNECTION AGREEMENT

This matter came before Chairman Ron Jones, Director Deborah Taylor Tate and Director Pat Miller of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on October 17, 2005 for consideration of cancellation of the Interconnection Agreement filed by BellSouth Telecommunications, Inc ("BellSouth") and Preferred Carrier Services, Inc ("Preferred") on December 16, 2002 and approved by the Authority on February 3, 2003

On March 26, 2002, the Authority cancelled Preferred's certificate of public convenience and necessity in TRA Docket No 96-00640. At a regularly scheduled Authority Conference held on February 3, 2003, the voting panel assigned to this docket voted unanimously to approve the Interconnection Agreement between Preferred and BellSouth in this docket.¹ Subsequent amendments to the Interconnection Agreement were submitted and approved in TRA Docket Nos 04-00224, 04-00325, 04-00388 and 05-00006.

On August 9, 2005, BellSouth and Preferred filed a *Motion for Withdrawal of Amendment to the Interconnection Agreement* in TRA Docket No 05-00006, stating that the

¹ *Order Approving Interconnection Agreement* (February 24, 2003)

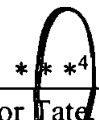
petition for approval of the amendment to the Interconnection Agreement in that docket inadvertently indicated that Preferred was a competing telecommunications provider when, in fact, Preferred is not certified as such in the State of Tennessee² On September 26, 2005, the voting panel assigned to TRA Docket No 05-00006 granted the *Motion for Withdrawal of Amendment to the Interconnection Agreement*, vacated its previous decision approving the amendment to the Interconnection Agreement, and closed Docket No 05-00006³

During the regularly scheduled Authority Conference held on October 17, 2005, upon consideration of the entire record in this matter and Docket Nos 96-00640 and 05-00006, the panel found that the Interconnection Agreement approved in this docket on February 3, 2003 was approved in error Therefore, the panel voted unanimously to vacate the decision made at the February 3, 2003 Authority Conference, thereby canceling approval of the Interconnection Agreement, and to close this docket

IT IS SO ORDERED



Ron Jones, Chairman



Deborah Taylor Tate, Director



Pat Miller, Director

² See *In re Petition for Approval of the Amendment to the Interconnection Agreement Between BellSouth and Preferred Carrier Services Inc*, Docket No 05-00006, *Motion for Withdrawal of Amendment to the Interconnection Agreement* (August 9, 2005)

³ Transcript of Authority Conference, pp 25-26 (September 26, 2005)

⁴ Director Tate voted in agreement with the other directors but resigned her position as director before the issuance of this order