

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

April 19, 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.
04-00325**

**ORDER CANCELING APPROVAL OF SECOND AMENDMENT
TO INTERCONNECTION AGREEMENT**

This matter came before Chairman Ron Jones, Director Pat Miller and Director Sara Kyle 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 second amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc. ("BellSouth") and Preferred Carrier Services, Inc. ("Preferred") filed on September 30, 2004 and approved by the Authority on November 22, 2004.


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 TRA Docket No. 02-01297.¹ Subsequently, four amendments to the Interconnection Agreement were submitted and approved in TRA Docket Nos. 04-00224, 04-00325, 04-00388 and 05-00006.


¹ *In re: Petition for Approval of the Interconnection Agreement Between BellSouth and Preferred Carrier Services, Inc.*, Docket No. 02-01297, *Order Approving Interconnection Agreement* (February 24, 2003).

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 petition for approval of the fourth 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 Tennessee.² 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 fourth amendment to the Interconnection Agreement, and closed Docket No. 05-00006.³

During the regularly scheduled Authority Conference held on October 17, 2005, upon consideration of the entire record in this matter, the panel found that the second amendment to the Interconnection Agreement approved in this docket on November 22, 2004 was approved in error. Therefore, the panel voted unanimously to vacate the decision made at the November 22, 2004 Authority Conference, thereby canceling approval of the second amendment to the Interconnection Agreement, and to close this docket.

IT IS SO ORDERED.



Ron Jones, Chairman

Pat Miller, Director

Sara Kyle, 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).