

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

<b>IN RE</b>	<b>January 26, 2006</b>	)	
		)	
<b>PETITION FOR APPROVAL OF THE AMENDMENT TO</b>		)	<b>DOCKET NO</b>
<b>THE INTERCONNECTION AGREEMENT BETWEEN</b>		)	<b>04-00388</b>
<b>BELLSOUTH TELECOMMUNICATIONS, INC AND</b>		)	
<b>PREFERRED CARRIER SERVICES, INC</b>		)	

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

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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 third amendment to the Interconnection Agreement between BellSouth Telecommunications, Inc ("BellSouth") and Preferred Carrier Services, Inc ("Preferred") filed on November 4, 2004 and approved by the Authority on January 10, 2005

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.<sup>1</sup> Subsequently, four 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 petition for approval of


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<sup>1</sup> *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)


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<sup>2</sup> 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<sup>3</sup>

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 third amendment to the Interconnection Agreement approved in this docket on January 10, 2005 was approved in error Therefore, the panel voted unanimously to vacate the decision made at the January 10, 2005 Authority Conference, thereby canceling approval of the third amendment to the Interconnection Agreement, and to close this docket

**IT IS SO ORDERED**

  
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Ron Jones, Chairman

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Deborah Taylor Tate, Director

  
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Pat Miller, Director

<sup>2</sup> 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)

<sup>3</sup> Transcript of Authority Conference, pp 25-26 (September 26, 2005)

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