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BellSouth Telecommunications, Inc  
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TRA DOCKET ROOM

Guy M. Hicks  
General Counsel

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March 28, 2005

VIA HAND DELIVERY

Hon. Pat Miller  
Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

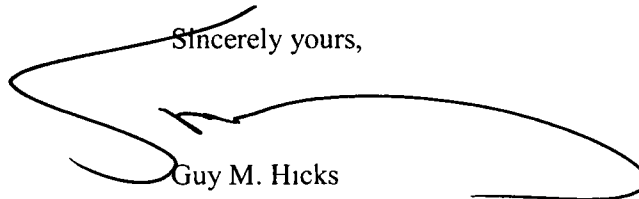
Re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Access Point, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996*  
Docket No. 05-0086

Dear Chairman Miller:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Access Point, Inc. and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original and fourteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated May 24, 2003. The Amendment adds Quickserve to the Agreement.

Thank you for your attention to this matter

Sincerely yours,



Guy M. Hicks

cc. Richard E. Brown, CEO, Access Point, Inc

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee

In re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Access Point, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996*

Docket No \_\_\_\_\_

**PETITION FOR APPROVAL OF THE**  
**AMENDMENT TO THE INTERCONNECTION AGREEMENT**  
**NEGOTIATED BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.**  
**AND ACCESS POINT, INC.**  
**PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996**

COME NOW, Access Point, Inc. ("Access Point") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated May 24, 2003 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, Access Point and BellSouth state the following:

1. Access Point and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to Access Point. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on August 18, 2003.

2. The parties have recently negotiated an Amendment to the Agreement which adds Quickserve to the Agreement. A copy of the Amendment is attached hereto and incorporated herein by reference.

3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, Access Point and BellSouth are submitting their Amendment to the TRA for its consideration and approval. The Amendment provides that either or both of the parties are authorized to submit this Amendment to the TRA for approval.

4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and Access Point within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.

5. Access Point and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to 47 USC Section 252(i) and 47 C.F.R. Section 51.809, BellSouth shall make available the entire Interconnection Agreement filed and approved pursuant to 47 USC Section 252.

Access Point and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 29<sup>th</sup> day of March, 2005.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC

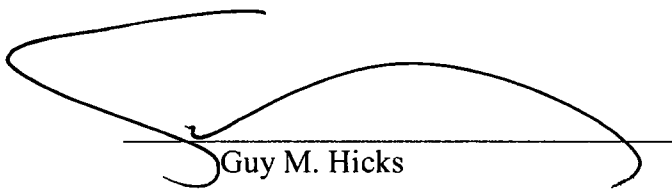
By: 

Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201-3300  
(615) 214-6301  
Attorney for BellSouth

#### CERTIFICATE OF SERVICE

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail on the 29<sup>th</sup> day of March, 2005:

Richard E. Brown  
CEO  
Access Point, Inc.  
1100 Crescent Green, Suite 109  
Cary, NC 27511

  
Guy M. Hicks

**Amendment to the Agreement  
Between  
Access Point, Inc.  
and  
BellSouth Telecommunications, Inc.  
Dated May 24, 2003**

Pursuant to this Amendment, (the "Amendment"), Access Point, Inc ("Access Point"), and BellSouth Telecommunications, Inc ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated May 24, 2003 ("Agreement") to be effective February 10, 2005

WHEREAS, BellSouth and Access Point entered into the Agreement on May 24, 2003, and,

WHEREAS, both Parties agree that an initial New Installation of a 2-Wire Port/Loop Combination- Residence line provisioned at a Location where QuickServe is available on the line shall incur a QuickServe Non-Recurring Charge (NRC) at the NRC Currently Combined Conversion Rate set forth in the Agreement and that any initial New Installation of a 2-Wire Port/Loop Combination - Residence line provisioned at a location where QuickServe is not available, shall incur the Not Currently Combined NRC, First and Additional rates set forth in the Agreement,

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows

- 1 The Parties agree to incorporate into Attachment 2 of the Agreement the rates and USOCs as set forth in Exhibit 1 of this Amendment attached hereto and incorporated herein by this reference
- 2 All of the other provisions of the Agreement, dated May 24, 2003, shall remain in full force and effect
- 3 Either or both of the Parties are authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996

IN WITNESS WHEREOF, the Parties have executed this Amendment the day and year written below

**BellSouth Telecommunications, Inc.**

By Kristen Rowe

Name Kristen Rowe

Title Director

Date 1/13/05

**Access Point, Inc.**

By Richard E. Brown

Name RICHARD E. BROWN

Title CEO

Date 1/12/05

**DLED PORT/LOOP COMBINATIONS - COST BASED RATES**

[illegible]

[illegible]

[illegible]

[illegible]

)

[illegible]



[illegible]



[illegible]

Version Attachment 2



**PORT/LOOP COMBINATIONS • MARKET RATES  
CURRING CHARGES (NRCs) • CURRENTLY COMBINED  
2-Wire Voice Grade Loop / Line Port Platform - Installation  
Charge at QuickService location - Not Conversion of Existing**



[illegible]

[illegible]

[illegible]