

BellSouth Telecommunications, Inc.

333 Commerce Street Suite 2101 Nashville, TN 37201-3300

guy.hicks@bellsouth.com

Guy M. Hicks General Counsel

615 214 6301 Fax 615 214 7406

Electronically filed 9/27/06 @ 7:18am

September 26, 2006

VIA HAND DELIVERY

Hon. Sara Kyle 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 DIECA Communications, Inc. d/b/a Covad Communications Company Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Docket No.

Dear Chairman Kyle:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, DIECA Communications, Inc. d/b/a Covad Communications Company and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original plus six paper copies and one electronic copy of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated December 19, 2001. The Amendment adds CLEC to CLEC rates for ADSL to the Agreement.

Thank you for your attention to this matter.

Sincerely yours,

Guy M. Hicks

cc: Douglas Carlen, Esq., Covad Communications Company
Colette Davis, Vice President, External Affairs, Covad Communications Company

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In re:

Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and DIECA Communications, Inc. d/b/a Covad Communications Company Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996

PETITION FOR APPROVAL OF THE AMENDMENT TO THE INTERCONNECTION AGREEMENT NEGOTIATED BETWEEN BELLSOUTH TELECOMMUNICATIONS, INC. AND DIECA COMMUNICATIONS, INC. D/B/A COVAD COMMUNICATIONS COMPANY PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996

COME NOW, DIECA Communications, Inc. d/b/a Covad Communications Company ("Covad") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated December 19, 2001 (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, Covad and BellSouth state the following:

- 1. Covad 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 Covad. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on February 23, 2004.
- 2. The parties have recently negotiated an Amendment to the Agreement which adds CLEC to CLEC rates for ADSL 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, Covad and BellSouth are submitting their Amendment to the TRA for its consideration and approval. The Amendment provides that either or both of the parties is 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 Covad 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. Covad 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.

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

This 26 day of 3, 2006.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

Guy M. Hicks

333 Commerce Street, Suite 2101 Nashville, Tennessee 37201-3300 (615) 214-6301

Guy M. Hicks

Attorney for BellSouth

CERTIFICATE OF SERVICE

By:_

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 day of _______, 2006:

Douglas Carlen, Esq. Covad Communications Company 110 Rio Robles San Jose, CA 95134

Colette Davis Vice President, External Affairs Covad Communications Company 1230 Peachtree Street NE Suite 1900

Atlanta, GA 30309

AMENDMENT TO THE AGREEMENT BETWEEN DIECA COMMUNICATIONS, INC. d/b/a COVAD COMMUNICATIONS COMPANY AND BELLSOUTH TELECOMMUNICATIONS, INC. DATED DECEMBER 19, 2001

Pursuant to this Amendment, (the "Amendment"), DIECA Communications, Inc. d/b/a Covad Communications Company ("Covad"), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated December 19, 2001 ("Agreement") to be effective one (1) day after the date of last signature executing the Amendment.

WHEREAS, BellSouth and Covad entered into the Agreement on December 19, 2001, and:

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 add the following rates attached in Exhibit B to the Attachment 2 rates for the states Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 2. All of the other provisions of the Agreement, dated December 19, 2001, shall remain in full force and effect.
- 3. Either or both of the Parties is 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.

Signature Page

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

RellSouth	Telecomm	unications,	Inc.
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Name: Kristen Rowe Sho

Title: Director

Date: 3/15/66

DIECA Communications, Inc. d/b/a Covad Communications Company

Name: James A. Kirkland

Title: SVP and General Counsel

Date: 8 14 06

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