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December 8, 2009

VIA HAND DELIVERY

Hon. Sara Kyle
c/o Sharla Dillon, Dockets
and Records Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

filed electronically in docket office on 12/08/09

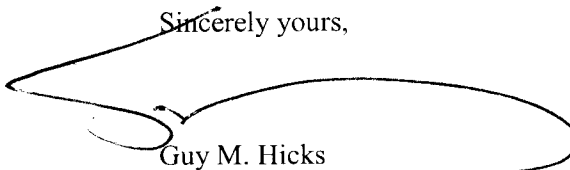
Re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and the Electric Power Board of Chattanooga Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.*
Docket No. 09-00198

Dear Chairman Kyle:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, the Electric Power Board of Chattanooga and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority two paper copies and one electronic copy of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated effective October 1, 2006. The Amendment extends the Term of the Agreement.

Thank you for your attention to this matter.

Sincerely yours,



Guy M. Hicks

cc: Kathy Harriman, Vice President of Telecommunications, Electric Power Board of Chattanooga
Terri K. Firestein, Sr. Director, CCG Consulting, LLC

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and the Electric Power Board of Chattanooga 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 THE ELECTRIC POWER BOARD OF CHATTANOOGA
PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996

COME NOW, the Electric Power Board of Chattanooga ("EPB") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated effective October 1, 2006 (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, EPB and BellSouth state the following:

1. EPB 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 EPB. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on October 16, 2006.

2. The parties have recently negotiated an Amendment to the Agreement which extends the term of 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, EPB 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 EPB 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. EPB 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 approved pursuant to 47 USC Section 252.

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

This 8th day of Dec, 2009.

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 8th day of Dec, 2009:

Kathy Harriman
Vice President of Telecommunications
Electric Power Board of Chattanooga
536 Market Street
P.O. Box 182255
Chattanooga, Tennessee 37422-7255

Terri K. Firestein
Sr. Director
CCG Consulting, LLC
10806 Garrison Hollow Road
Clear Spring, Maryland 21722


Guy M. Hicks

**AMENDMENT TO
INTERCONNECTION AGREEMENT UNDER SECTIONS 251 AND 252 OF THE
TELECOMMUNICATIONS ACT OF 1996
BETWEEN
BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T TENNESSEE
AND
ELECTRIC POWER BOARD OF CHATTANOOGA**

The Interconnection Agreement dated September 1, 2006 by and between BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee ("AT&T") and Electric Power Board of Chattanooga ("Electric Power Board") ("Agreement") effective in the state of Tennessee is hereby amended as follows:

1. Section 2.1 of the General Terms and Conditions is amended by adding the following section:
 - 2.1.1 Notwithstanding anything to the contrary in this Section 2.1, the original expiration date of this Agreement, as modified by this Amendment, will be extended for a period of three (3) years from September 30, 2009 until September 30, 2012 (the "Extended Expiration Date"). The Agreement shall expire on the Extended Expiration Date; provided, however, that during the period from the effective date of this Amendment until the Extended Expiration Date, the Agreement may be terminated earlier either by written notice from Electric Power Board, by AT&T pursuant to the Agreement's early termination provisions, by mutual agreement of the parties, or upon the effective date of a written and signed superseding agreement between the parties.
2. The Agreement is also amended as follows to reflect prior changes of law, and Electric Power Board acknowledges and agrees that it will promptly amend the Agreement to reflect future changes of law as and when they may arise.
3. EXCEPT AS MODIFIED HEREIN, ALL OTHER TERMS AND CONDITIONS OF THE UNDERLYING AGREEMENT SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
4. In entering into this Amendment, neither Party waives, and each Party expressly reserves, any rights, remedies or arguments it may have at law or under the intervening law or regulatory change provisions in the underlying Agreement (including intervening law rights asserted by either Party via written notice predating this Amendment) with respect to any orders, decisions, legislation or proceedings and any remands thereof, which the Parties have not yet fully incorporated into this Agreement or which may be the subject of further review.
5. This Amendment shall be filed with and is subject to approval by the Tennessee regulatory Authority and shall become effective on the date of the last signature executing the Amendment.

Electric Power Board of Chattanooga

By: Katie Espeseth, VP

Name: Katie Espeseth
(Print or Type)

Title: Vice President - Fiber Optics
(Print or Type)

Date: 11-19-09

BellSouth Telecommunications, Inc. d/b/a AT&T
Tennessee by AT&T Operations, Inc., its authorized
agent

By: Eddie A. Reed, Jr.

Name: Eddie A. Reed, Jr.
(Print or Type)

Title: Director-Interconnection Agreements

Date: 11-30-09

Resale OCN # 4646

CLEC OCN # 4645

ACNA - EPB