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May 10, 2004

RECEIVED

MAY 11 2004

via Federal Express

Hon. Thomas M. Dorman
Executive Director
Kentucky Public Service Commission
211 Sower Blvd.
Frankfort, KY 40601

Case 2004-00172

Re: *In the Matter of: Adoption of Interconnection Agreement Between BellSouth Telecommunications, Inc. and MCI Worldcom Communications, Inc. by Universal Telecom, Inc.*

Dear Mr. Dorman:

Enclosed is an original and 11 copies of an Adoption of Interconnection Agreement Between BellSouth Telecommunications, Inc. and MCI Worldcom Communications, Inc. by Universal Telecom on behalf of Universal Telecom, Inc. for filing in the above-styled matter. Please file-stamp one copy and return it in the enclosed postage prepaid envelope. Because this is a significant matter of competitive concern, we ask that the Commission review this request expeditiously.

Thank you, and please call me if you have any questions.

Very truly yours,

DINSMORE & SHOHL LLP



Holly C. Wallace

HCW/rk
Enclosure

cc: David W. Wigginton
All Parties of Record

90987v1
30256-100

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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ADOPTION OF INTERCONNECTION)
AGREEMENT BETWEEN BELL SOUTH)
TELECOMMUNICATIONS, INC. AND)
MCI WORLDCOM COMMUNICATIONS, INC.)
BY UNIVERSAL TELECOM, INC.)

MAY 11 2004

Case No. 2004-PUBLIC SERVICE
COMMISSION

2004-00172

NOTICE OF INTENT TO ADOPT INTERCONNECTION AGREEMENT

Universal Telecom, Inc. ("Universal Telecom"), by counsel, pursuant to Section 252(i) of the Telecommunications Act of 1996 (the "Act"), hereby files its Notice of Intent to adopt the currently effective Interconnection Agreement between BellSouth Telecommunications, Inc. ("BellSouth") and MCI WorldCom Communications, Inc. ("MCI Worldcom").

Universal Telecom is a competitive local exchange carrier authorized by the Kentucky Public Service Commission (the "Commission") to provide local telecommunication services within the Commonwealth of Kentucky. BellSouth is an incumbent local exchange carrier ("ILEC") providing, among other services, local exchange service within the Commonwealth of Kentucky.

On July 29, 2002, BellSouth and MCI Worldcom negotiated an Interconnection Agreement which was approved by the Commission on August 28, 2002 in Case No. 2000-012, tracking number 00502-AM ("BellSouth-MCI Agreement"). The BellSouth-MCI Agreement remains effective until approximately July 28, 2005. Universal Telecom intends to adopt this Agreement.

In support of its notice of intent to adopt the BellSouth-MCI Agreement, Universal Telecom states that the Commission has previously acknowledged the statutory right of carriers

to adopt existing interconnection agreements by notice to the Commission. On August 8, 2003, in Case No. 2003-00303 the Commission held that Nuvox Communications, Inc. was entitled to adopt the Interconnection Agreement between Kentucky ALLTEL, Inc. and Prepaid Telecom, Inc. pursuant to §252(i) of the Act. (See August 8, 2003 Order in Case No. 2003-00303, attached as Exhibit A). On May 3, 2004, the Commission reaffirmed its position that a competitive local exchange carrier is entitled to adopt a currently effective interconnection agreement pursuant to §252(i) of the Act. (See May 3, 2004 order in Case No. 2004-00137, attached as Exhibit B). Accordingly, Universal Telecom is entitled to adopt, in its entirety, the BellSouth-MCI Agreement.

Universal Telecom intends to be bound by the terms of the unexpired BellSouth-MCI Agreement and anticipates that the terms of the BellSouth-MCI Agreement will be reproduced in their entirety substituting Universal Telecom in the place of MCI Worldcom. A copy of the BellSouth-MCI Agreement is attached to the original of this Notice of Intent and to the service copy sent to BellSouth. (See BellSouth--MCI Worldcom Agreement, attached as Exhibit C). Universal Telecom will file additional copies of the BellSouth--MCI Worldcom Agreement if the Commission so desires.

WHEREFORE, Universal Telecom respectfully requests that the Commission expeditiously review Universal Telecom's request and issue an order:

1. Acknowledging the adoption of the BellSouth--MCI Worldcom Agreement by Universal Telecom;
2. Approving the request and making the Interconnection Agreement effective as of the date of the Commission's Order; and,

3. Requiring BellSouth to file with the Commission a true and complete copy of the approved Interconnection Agreement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Holly C. Wallace", written over a horizontal line.

John E. Selent

Holly C. Wallace

DINSMORE & SHOHL LLP

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**COUNSEL TO UNIVERSAL
TELECOM, INC.**

CERTIFICATE OF SERVICE

It is hereby certified that a copy of this Notice of Intent to Adopt Interconnection Agreement has been served by first-class United States mail, sufficient postage prepaid, this 10th day of May 2004 upon the following:

Dorothy J. Chambers, Esq.
BellSouth Telecommunications, Inc.
601 West Chestnut Street, Room 407
P.O. Box 32410
Louisville, Kentucky 40232


Counsel to Universal Telecom, Inc.

☛ Select for FOCUS™ or Delivery



2003 Ky. PUC LEXIS 650

In the Matter of: **ADOPTION** BY NUVOX COMMUNICATIONS, INC. OF THE **INTERCONNECTION AGREEMENT** BETWEEN KENTUCKY ALLTEL, INC. AND PREPAID TELECOM, INC. PURSUANT TO SECTIONS 251 AND 252 OF THE TELECOMMUNICATIONS ACT OF 1996

CASE NO. 2003-00303

Kentucky Public Service Commission

2003 Ky. PUC LEXIS 650

August 8, 2003, Done

OPINION:

ORDER

On July 15, 2003, NuVox Communications, Inc. ("NuVox") filed with the Commission its request to adopt the currently effective interconnection agreement between Kentucky ALLTEL, Inc. and Prepaid Telecom, Inc. That agreement was negotiated pursuant to the Telecommunications Act of 1996, 47 U.S.C. Sections 251 and 252, and was approved by the Commission. Pursuant to 47 U.S.C. Section 252(i), NuVox is entitled to adopt the agreement.

The Commission, having been otherwise sufficiently advised, HEREBY ORDERS that the request of NuVox to adopt the currently effective interconnection agreement between Kentucky ALLTEL, Inc. and Prepaid Telecom, Inc. is granted.

Done at Frankfort, Kentucky, this 8th day of August, 2003.

By the Commission

ATTEST:

[ILLEGIBLE WORDS]
Executive Director

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADOPTION OF INTERCONNECTION)
AGREEMENT BETWEEN KENTUCKY ALLTEL,) CASE NO.
INC. AND SOUTHEAST TELEPHONE, INC. BY) 2004-00137
BLUEGRASS TELEPHONE, INC.)

O R D E R

On April 14, 2004, Bluegrass Telephone, Inc. ("Bluegrass") submitted to the Commission its request to adopt the currently effective interconnection agreement between Kentucky ALLTEL, Inc. ("ALLTEL") and SouthEast Telephone, Inc. ("SouthEast"). Their agreement was arbitrated pursuant to the Telecommunications Act of 1996, 47 U.S.C. §§ 251, 252, and was approved by the Commission. Pursuant to 47 U.S.C. § 252(i), Bluegrass is entitled to adopt the agreement.

The Commission, having been otherwise sufficiently advised, HEREBY ORDERS that the request of Bluegrass to adopt the currently effective interconnection agreement between ALLTEL and SouthEast is granted effective the date of this Order.

Done at Frankfort, Kentucky, this 3rd day of May, 2004.

By the Commission

ATTEST:


Executive Director