

April 15, 2005

WAY S JULY DEC

7037 Old Madison Pike, Suite 400 Huntsville, AL 35806

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COMMISSION

Case No. 2004-00427

Mr. Bennett Ross General Counsel – D.C. BellSouth Telecommunications, Inc. Suite 900 1133 21<sup>st</sup> Street NW Washington, DC 20036-3351

RE: Self-Certification Rights

Dear. Mr. Ross:

This is to provide BellSouth with notice that effective April 17, 2005, ITC^DeltaCom and BTI will only issue orders for high cap loop and transport UNE's in those instances where we are asserting our self certification rights under the provisions of the TRRO.

Based on the FCC rules and consistent with the assertions made by BellSouth's outside counsel before Judge Cooper in federal district court in Atlanta on March 31, 2005, we expect BellSouth to provision all orders that are self-certified in the manner described above. To the extent BellSouth wishes to challenge the self-certification we expect the dispute resolution process to be presented to the respective state regulatory authority for resolution.

Sincerely,

Jerry watts

Vice President Government and Industry Affairs

MC/al

cc: Alabama, Florida, Georgia, Louisiana, Kentucky, Mississippi, North Carolina, South

Carolina, and Tennessee State Commissions

Teresa Roseborough, Esq. - Sutherland, Asbill & Brennan

BellSouth State Counsel
Jerry Hendrix – BellSouth
Doug Lackey – BellSouth
John Hamman – BellSouth

## ITC DELTACOM

7037 Old Madison Pike, Suite 400 Huntsville, Alabama 35806 Ms. Beth O'Donnell, Exec. Director Kentucky Public Service Commission 211 Sower Boulevard P.O. Box 615 Frankfort KY 40602



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