



OFFICE *of the* ATTORNEY GENERAL
G R E G A B B O T T

September 27, 2010

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte* Submission of the Public Utility Commission of Texas, *In the Matter of Petition of UTEX Communications Corporation, Pursuant to Section 252(e)(5) of the Communications Act, for Preemption of the Jurisdiction of the Public Utility Commission of Texas Regarding Interconnection Disputes with AT&T Texas*, WC Docket No. 09-134

Dear Ms. Dortch:

With reference to UTEX Communications Corporation's renewed petition for preemption in the above-referenced docket, the Public Utility Commission of Texas ("PUCT") makes this written *ex parte* submission to apprise the Commission that on September 23 the PUCT arbitrators issued a proposal for award in the arbitration of a new UTEX-AT&T interconnection agreement, PUCT Docket No. 26381. A copy of the proposed award, with its exhibits, is attached.

As the UTEX arbitration is now entering its final stages, the PUCT requests that the Commission deny UTEX's renewed petition for preemption. UTEX should have its new interconnection agreement soon.

Sincerely,

/s

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Attachment

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