



# Public Service Commission

## C-A-S-E A-C-T-I-O-N M-E-M-O-R-A-N-D-U-M

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**DATE:** September 12, 2001  
**TO:** Martha Brown, Division of Appeals  
Cheryl Bulecza-Bank, Division of Competitive Services  
**FROM:** Sandy Moses, Division of Commission Clerk and Administrative Services *sm*  
**RE:** Docket No. 010650-TX - Petition for declaratory statement by Level 3 Communications, LLC, that collocation revenues reported by Level 3 should not be included as "gross operating revenues derived from intrastate business" as contemplated by Rule 25-4.0161, F.A.C., and Sections 350.113(3)(b) and 364.336, F.S., for purposes of calculating regulatory assessment fee for calendar year 1999.

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The action checked below has been taken in the referenced case.

- ✓ Level 3 Communications, LLC has filed an appeal of Order PSC-01-1662-DS-TX granting the company's petition for declaratory statement and closing the docket. Accordingly, the docket has been reopened and placed in litigation status.

OPR has been changed to \_\_\_\_\_.

\_\_\_\_\_ has been changed to OCR.

The following comments have been entered in CMS: "Order \_\_\_\_\_, \_\_\_/\_\_\_/\_\_\_, requires the company to make refunds and file certain related reports. \_\_\_\_\_ is to monitor and advise all concerned of the company's compliance or non-compliance and recommended further actions."

The following comments have been entered in CMS: "Order \_\_\_\_\_, \_\_\_/\_\_\_/\_\_\_, authorizes the issuance of securities and requires the company to file a consummation report within 90 days of such issuance. \_\_\_\_\_ is to monitor and advise all concerned of recommended further actions."

\_\_\_\_\_ please file a CASR by \_\_\_\_\_.

cc: **Docket File**  
**Security File**

PSC/RAR 32 (4/00)

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COMMISSION CLERK