## RUTLEDGE, ECENIA, PURNELL & HOFFMADRIGINAL

HAND DELIVERY

PROFESSIONAL ASSOCIATION ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A ECENIA JOHN R. ELLIS KENNETH A. HOFFMAN THOMAS W. KONRAD MICHAEL G. MAIDA MARTIN P. McDONNELL

POST OFFICE BOX 551, 32302-0551 215 SOUTH MONROE STREET, SUITE 420 TALLAHASSEE, FLORIDA 32301-1841

> TELEPHONE (850) 681-6788 TELECOPIER (850) 681-6515

October 19, 2001

J. STEPHEN MENTON R DAVID PRESCOTT HAROLD F X. PURNELL GARY R RUTLEDGE

GOVERNMENTAL CONSULTANTS MARGARET A. MENDUNI M. LANE STEPHENS

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Ms. Blanca S. Bayo, Director Division of Records and Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Conference Center, Room 110 Tallahassee, Florida 32399-0850

Re: Docket No. 010650-TX

Dear Ms. Bayo:

Enclosed herewith for filing in the above-referenced docket on behalf of Level 3 Communications, LLC ("Level 3") are the original and one copy of Level 3's Revised Directions to Clerk.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.

Sincerely,

Martin P. McDonne

MPM/rl NPP Enclosures CAF CMP COM ATR SCR. CEO ೧೯೦ RECEIVED PAL RGO SEC **H**SC OF RECORDS SER

DOCUMENT NUMBER-DATE

## **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Level 3 Communications, LLC's ) Petition for Declaratory Statement ) Docket No. 010650-TX

Filed: October 19, 2001

## **REVISED DIRECTIONS TO CLERK**

Level 3 Communications, LLC ("Level 3"), by and through undersigned counsel, hereby

revises its previously filed Directions to the Clerk or the Director of the Division of Records of the

Public Service Commission and states as follows:

1. On September 21, 2001, Level 3 filed its Directions to the Clerk in the above docket.

In paragraph (2) of the Directions to the Clerk, Level 3 directed that the following be included in the

original record pursuant to Rules 9.190 and 9.200 of the Florida Rules of Appellate Procedure:

The memorandum (and attachments) dated December 4, 2000 from PSC Professional Accounting Specialist Jeffery A. Small to Denise Vandiver, PSC Chief of Auditing, Division of Regulatory Oversight, regarding the findings of the regulatory assessment fee audit performed by the Public Service Commission Accounting Division on Level 3 for calendar year 1999. The regulatory assessment fee audit findings precipitated the Petition for Declaratory Statement filed by Level 3, was referenced by Level 3 in its Petition for Declaratory Statement and was referenced by the Commission in the Declaratory Statement.

2. Although the above memorandum was referenced by Level 3 in its Petition for Declaratory Statement and was referenced by the Commission in the Declaratory Statement, it was never officially entered into the record before the Commission in the proceeding.

3. The undersigned has spoken to Martha Carter-Brown, Commission Staff Counsel, who agrees that the above memorandum was never officially made a part of the record and therefore objects to its inclusion in the record.

DOCUMENT NUMBER-DATE

4. Therefore, pursuant to agreement by the parties, the undersigned hereby respectfully

requests that the Clerk or the Director of the Division of Records not include the above memorandum and attachments as part of the original record.

5. In all other respects the Directions to the Clerk remain unchanged.

Respectfully submitted,

Martin P. MODel

Kenneth A. Hoffman, Esq. Florida Bar No. 307718 Martin P. McDonnell, Esq. Florida Bar No. 301728 Rutledge, Ecenia, Purnell & Hoffman, P.A. P. O . Box 551 Tallahassee, FL 32301 (850) 681-6788 (telephone) (850) 681-6515 (telecopier)

Attorneys for Level 3 Communications, LLC

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Directions to Clerk was furnished by U. S. Mail this 19<sup>th</sup> day of October, 2001, to the following:

Harold McLean, Esq. General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Room Tallahassee, Florida 32399-0850

Martha Carter Brown, Esq. Florida Public Service Commission 2540 Shumard Oak Boulevard Room 370 Tallahassee, Florida 32399-0850

Marki ?. M.D.U Kenneth A. Hoffman, Esq.

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