

REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER

Date of Request: 08/15/03 Date of Agenda Conference: August 19, 2003 Item No. 9

Docket No.: 030696-TI Brief Title: Compliance Investigation of 9278 Communications for apparent violation of Sections 364.02 and 364.04, Florida Statutes.

Requested by: Staff Other General Counsel for 9278 Communications, Inc. (Name)

Please attach a copy of the written documentation filed (if other)

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

ACTION REQUESTED [see APM 2.11]

- Defer Item to Agenda Scheduled Date: October 21, 2003
- Change Order of Item or Take Up at Time Certain
- Withdraw Item
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) **A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.**
- Add Item to Published Agenda [see Section 120.525(2), F.S.] - Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

9278 Communications, Inc. contacted staff and requested that Item 9 be deferred so that the company would have ample time to investigate the issues cited in staff's recommendation and work with staff to reach a settlement. Please see the attached facsimile of the company's request. According to the company, the original letter will be sent FedEx.

Signature (OPR Staff): [Signature] Initials (OPR Division Director or Designee): [Initials]

Signature (Legal Staff): [Signature] Initials (Legal Division Director or Designee): [Initials]

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office Approve Request Deny Request

Initials: MAB Date: 8/15/03

Comments:

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC _____
- OTH Sandy

CHAIRMAN's OFFICE:

Initials: [Initials] Approve Request Deny Request

Date: 8/15/03

Executive Suite will send the original to the Division of Commission Clerk and Administrative Services and return a copy to the requesting staff after the Chairman's Office takes action on this request. Requesting staff should distribute copies to the Division Directors (OPR & OCR) and Attorney assigned to the docket.

Row Blanca PSC/EXD-1 (10/02)

RECEIVED FPSC
AUG 15 PM 1:35
COMMISSION CLERK

DOCUMENT NUMBER-DATE
07542 AUG 15 03
FPSC-COMMISSION CLERK



August 14, 2003

By Fax and FedEx
Ms. Blanca S. Bayo
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: 9278 Communications, Inc. Docket No. 030696-TI
August 19 Conference, Agenda Item 9

Dear Ms. Bayo:

This letter is in furtherance of a telephone conversation I had today with Dale R. Buys regarding the above-referenced matter. I received notification of the proposed action by the Public Service Commission yesterday afternoon from a third party who came across the Memorandum identifying the pending docket item in connection with an unrelated matter. I had a brief conversation with Mr. Buys this afternoon during which I attempted to clarify some of the factual items set forth in the Memorandum, but I did not have an opportunity to review all of the issues addressed, nor to investigate the factual background in order to have a complete and thorough substantive conversation with Mr. Buys, although I believe I clarified some items for him and I hope I conveyed my willingness and intention to promptly and fully address each issue raised in the Memorandum.

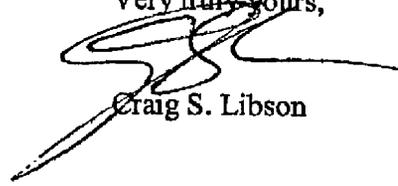
I recently joined 9278 Communications as General Counsel to expand the management team to address all corporate and regulatory issues. Unfortunately, perhaps as a result of the lack of a predecessor, some communications, such as those identified in the Memorandum, may have been misplaced or misdirected. I am undertaking to compile a complete file. In addition, 9278 Communications and its affiliates have outside telecommunications counsel which I understand has filed, on a nationwide basis, filings necessary for compliance with state and federal requirements. I have undertaken to obtain a report of these filings vis-à-vis Florida with respect to those filed and those in progress.

On behalf of 9278 Communications and its affiliates, I respectfully request a deferral of Agenda Item 9 on the August 19, 2003 Conference Agenda (Docket 030696-TI) in order to permit me to fully investigate the facts and circumstances and to prepare a complete and accurate report and response to the Commission. 9278 Communications intends to cooperate with the Commission to ensure that all items set forth in the

Memorandum are adequately addressed to the Commission's satisfaction and that operations going forward are similarly in compliance.

Please feel free to call me with any questions you may have with respect to foregoing.

Very truly yours,

A handwritten signature in black ink, appearing to be 'CS Libson', written over the typed name.

Craig S. Libson