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MCWHIRTER REEVES ATTORNEYS AT LAW

TAMPA OFFICE: 400 NORTH TAMPA STREET, SUITE 2450 TAMPA, FLORIDA 33602 P. O. BOX 3350 TAMPA, FL 33601-3350 (813) 224-0866 (813) 221-1854 FAX

PLEASE REPLY TO:

TALLAHASSEE

TALLAHASSEE OFFICE: 117 SOUTH GADSDEN TALLAHASSEE, FLORIDA 32301 (850) 222-2525 (850) 222-5606 FAX

August 15, 2003

VIA HAND DELIVERY

Blanca S. Bayo, Director Division of Records and Reporting **Betty Easley Conference Center** 4075 Esplanade Way Tallahassee, Florida 32399-0870

Re:

Docket No.: Docket 030346-TP

Dear Ms. Bayo:

On behalf of NPCR, Inc. db//a Nextel Partners, enclosed for filing and distribution are the original and 15 copies of the following:

> Amended Request for Representation by a Qualified Representative. Ronald J. Jarvis.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman

AUS CAF VGK/bae **CMP E**nclosure COM CTR ECR GCL OPC MMS

DOCUMENT MUMBER-DATE

McWhirter, Reeves, McGlothlin, Davidson, Kaufman & Arnold, P.A 555 AUG 158

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for Declaratory Statement
That NPCR, Inc. d/b/a Nextel Partners,
Commerical Mobile Radio Service
Provider in Florida, Is Not Subject
To Jurisdiction of Florida Public
Service Commission for Purposes
Of Designation as "Eligible
Telecommunications Carrier"

Docket No. 030346-TP

Filed: August 15, 2003

AMENDED REQUEST FOR REPRESENTATION BY A QUALIFIED REPRESENTATIVE, RONALD J. JARVIS

NPCR, Inc. d/b/a Nextel Partners (Nextel), through its undersigned counsel, submits its Request for Representation by a Qualified Representative, Ronald J. Jarvis, pursuant to Rule 28-106.106, Florida Administrative Code, in the above-referenced proceeding, and states as follows:

- 1. Nextel is a Commerical Mobile Radio Service (CMRS) provider doing business in the state of Florida with principal offices located at 4500 Carillon Point, Kirkland, WA 98033.
- 2. Any pleading, motion, notice, order or other document required to be served upon Nextel or filed by any party relative to this Request for Representation should be served upon the following individual:

Vicki Gordon Kaufman McWhirter Reeves McGlothlin Davidson Kaufman & Arnold, P.A. 117 South Gadsden Street Tallahassee, Florida 32301 (850) 222-2525 (telephone) (850) 222-5606 (fax)

3. This petition is filed pursuant to Rule 28-106.106, Florida Administrative Code. Rule 28-106.106(2)(a) requires that Nextel submit a written request to the presiding officer in the DOCUMENT NUMBER PATE.

07555 AUG 158

event that Nextel elects to be represented before the Commission by a qualified representative.

Nextel hereby submits such a request.

4. Nextel seeks leave of the presiding officer for the individual identified below to appear as a qualified representative on behalf of Nextel for any purpose and in all matters or proceedings conducted before the Commission in connection with Docket No. 030346-TP...

Ronald J. Jarvis
Catalano & Plache, PLLC
3221 M Street NW
Washington, DC 20007
(202) 338-3200 (telephone)
(202) 338-1700 (fax)
rij@catalanoplache.com

- 5. Consistent with Rule 28-106.106(2)(b), Nextel hereby affirms that it is aware of the services Mr. Jarvis can provide and, further, that Nextel can elect to be represented solely by "counsel," as that term is defined by Rule 28-106.106(1). Indeed, Nextel has elected to be represented in this matter by other attorneys in addition to Mr. Jarvis.
- 6. Nextel submits that Mr. Jarvis possesses the necessary qualifications to responsibly represent Nextel's interests in this matter. In this regard, Mr. Jarvis' qualifications are set forth in the attached affidavit.
- 7. As reflected in Mr. Jarvis' affidavit, attached as "Attachment A," he: (i) is an attorney admitted to practice in the District of Columbia; (ii) has reviewed those portions of the Florida Statutes relative to the Commission's jurisdiction, (iii) has reviewed the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; and (iv) has reviewed those portions of the Florida Administrative Code and Florida Statutes related to the rules of evidence, including the concept of hearsay in an administrative proceeding.
- 8. Consistent with the standard set forth in Rule 28-106.107, Mr. Jarvis has acquired or will acquire actual knowledge of the factual and legal issues involved insofar as his representation of Nextel is concerned in the above-referenced proceeding.

WHEREFORE, for the above and foregoing reasons, Nextel requests that Mr. Jarvis be permitted to appear as a qualified representative on behalf of Nextel.

Vicki Gordon Kaufman

McWhirter, Reeves, McGlothin, Davidson,

Kaufman & Arnold, P.A. 117 South Gadsden Street Tallahassee, Florida 32301

(850) 222-2525

(850) 222-5606 (fax)

vkaufman@mac-law.com

Attorneys for NPCR, Inc. d/b/a Nextel Partners

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Docket No. 030346-TP

Filed: August 15, 2003

AFFIDAVIT OF RONALD J. JARVIS

- I, Ronald J. Jarvis being first duly sworn, do hereby depose and state as follows:
- 1. I am a partner in the law firm of Catalano & Plache, PLLC, whose offices are located at 3221 M Street, NW, Washington, DC 20007.
- 2. I am a member in good standing of the District of Columbia Bar and am seeking to be designated as a qualified representative in the above-captioned docket pursuant to Rule 28-106.106, Florida Administrative Code.
- 3. I have represented NPCR, Inc. d/b/a/ Nextel Partners in proceedings before state commissions. Moreover, I have assisted other attorneys in proceedings before other state commissions that have involved the examination and resolution of factual and legal issues similar to those under consideration in the above-captioned docket.
- 4. I am familiar with the relevant portions of the Florida Statutes, the Florida Rules of Civil Procedure, the Florida Administrative Code, and the Florida Rules of Evidence.

I declare that the foregoing is true and correct based on my knowledge, information, and belief.

RONALD I JARVIS

SWORN TO ANI Ronald J. Jarvis, who (D SUBSCRIBED bef (146) is personally as identification.	fore me this 14 known to me;	_day of or (HE)	who has	_, 2003 by presented
	Cor	tary Public mmission Number Commission exp		-	

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Amended Request for Representation by a Qualified Representative, Ronald J. Jarvis has been furnished by (*) hand delivery and U.S. Mail this 15th day of August, 2003, to the following:

(*) Christiana Moore Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399

Nancy White Meredith Mays c/o Nancy Sims BellSouth Telecommunications, Inc. 150 South Monroe Street, Suite 400 Tallahassee, FL 32301-1556

Benjamin Dickens Blooston Law Firm 2120 L Street, NW Washington, DC 20037

David B. Erwin 127 Riversink Road Crawfordville, FL 32327

Zicki Gordon Kaufman