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November 3, 2003

**BY HAND DELIVERY**

Blanca S. Bayó, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Docket No. 990649B-TP

Dear Ms. Bayó:

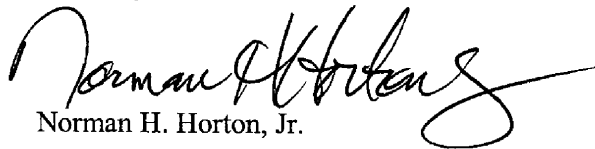
On August 5, 2003, the Commission issued Order No. PSC-03-0896-PCO-TP in which it granted Verizon's Motion to Stay the effectiveness of Order No. PSC-01-1574-FOF-TP pending judicial review.

At page 9 of Order No. PSC-03-0896-PCO-TP, The Commission stated:

To be eligible for the full aforementioned refund back to the date of this Order, a CLEC must, within 90 days of the issuance of this Order, file with the Commission and send to Verizon a letter stating that the CLEC would have sought implementation of the rates ordered in this proceeding, absent the stay. This condition recognizes the varying effect of the rates on individual CLECs. Any CLECs that submit the required letter after the 90 days will only be eligible for a refund back to the filing date of the letter.

The purpose of this letter is to verify that, absent the stay, Xspedius Communications, Inc. would have sought implementation of the rates ordered in Order No. PSC-01-1574-FOF-TP. Accordingly, by the terms of Order No. PSC-03-0896-PCO-TP, Xspedius Communications, Inc. is entitled to have any refund in this proceeding made effective as of August 5, 2003.

Sincerely,

  
Norman H. Horton, Jr.

cc: Richard Chapkis, Esq.  
Beth Keating, Esq.  
Patricia Christensen, Esq.  
Parties of Record

DOCUMENT NUMBER DATE

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