

ORIGINAL



Focal Communications Corporation  
200 North LaSalle Street  
11th Floor  
Chicago, Illinois 60601

312-895-8400  
312-895-8403 fax

February 12, 2004

Blanco S. Bayo  
Division of the the Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RECEIVED-FPSC  
04 FEB 16 PM 2:12  
COMMISSION  
CLERK

RE: 2003 TRO Data Request in Docket Nos. 030851-TP and 030852-TP

Dear Commission Clerk:

I am in receipt of a February 2, 2004 letter from Mr. Richard Melson advising Focal Communications Corporation of Florida ("Focal") that Focal has not responded to certain data requests in the above-identified proceedings. Focal was previously served a subpoena issued by the Commission at the request of Bell South that requested substantially the same information. As shown in the attached e-mail, Focal served an electronic response to the subpoena. It was my understanding that it was not necessary to file a complete response to the data requests if the information requested had already been provided through responses to interrogatories or document requests. See letter of Beth W. Salak to Focal dated November 12, 2003. Nevertheless, out of an abundance of caution, I have enclosed a diskette with the responses provided to Bell South. I have also enclosed an affidavit attesting to the accuracy of the information. If my understanding of the Commission's instructions is incorrect, or if there is anything further I can do to assist the Commission in these proceedings, please contact me so that I may address the matter expeditiously.

Sincerely,

Paul J. Rebey  
Senior Counsel  
312.895.8491

2004 FEB 16 AM 10:21  
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*1 copy to each docket*

DOCUMENT NUMBER-DATE

02133 FEB 16 3

FPSC-COMMISSION CLERK



**Paul Rebey**

11/26/03 10:20 AM

To: meredith.mays@bellsouth.com  
cc: pkeillor@radeylaw.com  
Subject: Focal Response to BellSouth/Florida PSC Data Requests

Ms. Mays,

I apologize for the delay in responding to your requests. As I'm sure you understand, this has been an overwhelming time for many of us in the industry. I do have for you the FPSC spreadsheet responses I just received from our engineering department. I have also responded to several of your interrogatories that I do not believe are addressed in the spreadsheets. Please feel free to contact me if you have any questions or concerns.

Paul Rebey  
Senior Counsel  
Focal Communications Corporation  
312 895-8491



Miami general questions.xls



Miami switching questions.xls



INTERROGATORIESresp.doc

**AFFIDAVIT**

By my signature below, I, PAUL REBEY, attest to the accuracy of the information contained herein and the attached documents. I have reviewed the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of FOCAL COMMUNICATIONS CORPORATION OF FLORIDA.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."

PAUL REBEY  
Print Name

Paul Rebey  
Signature

SENIOR COUNSEL  
Title

February 12, 2003  
Date

312 895-8491  
Telephone No.

312 895-8403  
Fax No.

FOCAL COMMUNICATIONS CORPORATION OF FLORIDA  
Utility

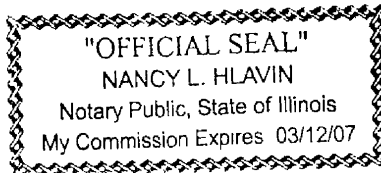
Address: 200 N. LASALLE  
SUITE 1100  
CHICAGO, IL 60601

STATE OF Illinois

COUNTY OF Will

Sworn to (or affirmed) and subscribed before me this 13<sup>th</sup> day of Feb., 2004, by \_\_\_\_\_

(NOTARY SEAL)



Nancy L. Hlavin  
(Signature of Notary Public)

(Name of Notary Typed, Printed, or Stamped)

Personally Known  OR Produced Identification \_\_\_\_\_ Type of Identification Produced \_\_\_\_\_