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MCWHIRTER REEVES ATTORNEYS AT LAW

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PLEASE REPLY TO: TALLAHASSEE

February 23, 2004

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.: 030852-TP

Dear Ms. Bayo:

On behalf of XO Florida, Inc. (XO), enclosed for filing and distribution are the original and 15 copies of the following:

> XO Florida, Inc.'s Renewed Objections to Verizon Florida, Inc.'s Second • Set of Interrogatories (Nos. 22-23).

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

Sincerely,

Villis Horllm Kaufman Vicki Gordon Kaufman

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising From Federal Communications Commission's Triennial UNE review: Location-Specific Review for DS1, DS3 and Dark Fiber Loops, And Route-Specific Review for DS1, DS3 and Dark Fiber Transport. Docket No. 030852-TP

Filed: February 23, 2004

XO FLORIDA, INC.'S RENEWED OBJECTIONS TO VERIZON FLORIDA, INC.'S SECOND SET OF INTERROGATORIES (NOS. 22-23)

On February 9, 2004, XO Florida, Inc. (XO), filed its Objections to Verizon Florida, Inc.'s (Verizon) Second Set of Interrogatories (Nos. 22-23). XO's objections were based on the grounds that Verizon's discovery is outside the scope of permissible discovery in this case as XO is not a party to this case and thus has no legal obligation under the Florida Rules of Civil Procedure to respond to Verizon's discovery. XO renews and incorporates those objections herein. This pleading is filed in an abundance of caution since if responses were appropriate, the due date would be today. Further, as noted in XO's February 9th Objections, this filing is in no way intended to make XO a party to this case but is made to preserve its rights under applicable procedural rules.

> DCCUMENT NUMBER -DATE 02671 FEB 23 & FPSC-COMMISSION CLERK

iii Andre Kaufman

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Dana Shaffer Vice President, Legal and Regulatory Affairs XO Florida, Inc. 105 Malloy Street, Suite 300 Nashville, TN 37201-2315 (615)777-7700 (telephone) (615) 345-1564 (fax) dshaffer@xo.com

Vicki Gordon Kaufman McWhirter Reeves McGlothlin Davidson Decker Kaufman & Arnold, PA 117 South Gadsden Street Tallahassee, FL 32301 (850)222-2525 (telephone) (850) 222-5606 (fax) vkaufman@mac-law.com

Attorneys for XO Florida, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing XO Florida, Inc.'s Renewed Objections to Verizon Florida, Inc.'s Second Set of Interrogatories (Nos. 22-23) to XO. has been provided by (**) email and U.S. Mail this 9th day of February 2004, to the following:

(**)Adam Teitzman, Staff Counsel Division of Legal Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

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(**) Nancy White c/o Nancy Sims BellSouth Telecommunications, Inc. 150 South Monroe Street, Suite 400 Tallahassee, Florida 32301-1556

(**) Richard Chapkis Verizon Florida, Inc. 201 North Franklin Street MC: FLTC0717 Tampa, Florida 33602

(**) Susan Masterton Sprint Communications Company 1313 Blairstone Road Post Office Box 2214 MC: FLTLHO0107 Tallahassee, Florida 32301

(**) Donna Canzano McNulty MCI WorldCom 1203 Governors Square Boulevard Suite 201 Tallahassee, Florida 32301

(**) Norman H. Horton, Jr. 215 South Mornoe Street Tallahassee, Florida 32302-1876 (**) Tracy Hatch AT&T Communications of the Southern States, LLC 101 North Monroe Street, Suite 700 Tallahassee, Florida 32301

(**) Michael Gross Florida Cable Telecommunications 246 East 6th Avenue Tallahassee, Florida 32302

(**) Matthew FeilFlorida Digital Network, Inc.390 North Orange Avenue, Suite 2000Orlando, Florida 32801

(**) Jeffrey J. Binder Allegiance Telecom, Inc. 1919 M Street, NW Washington, DC 20037

(**) Floyd R. Self Messer, Caparello & Self 215 South Monroe Street, Suite 701 Tallahassee, FL 32301

(**) Nanette Edwards ITC^DeltaCom 4092 S. Memorial Parkway Huntsville, Alabama 35802

(**) Jake E. Jennings Senior Vice-President Regulatory Affairs & Carrier Relations NewSouth Communications Corp. NewSouth Center Two N. Main Center Greenville, SC 29601 (**) Jon C. Moyle, Jr. Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. The Perkins House 118 North Gadsden Street Tallahassee, FL 32301

(**) Rand Currier Geoff Cookman Granite Telecommunications, LLC 234 Copeland Street Quincy, MA

(**) Andrew O. Isar Miller Isar, Inc. 2901 Skansie Avenue, Suite 240 Gig Harbor, WA 98335

(**) Scott A. Kassman FDN Communications 390 North Orange Avenue Suite 2000 Orlando, FL 32801

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