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March 31, 2004

BY HAND DELIVERY

Ms. Blanca Bayó, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

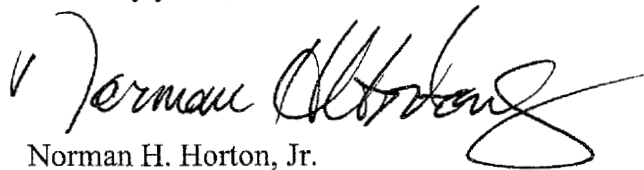
Re: Docket No. 040130-TP

Dear Ms. Bayó:

On behalf of New South Communications, Corp., NuVox Communications, Inc., KMC Telecom, Inc. and Xspedius Communications, Inc., enclosed is an original and 15 copies of a Notice of Filing of an order of the Alabama Public Service Commission to be filed in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Sincerely yours,


Norman H. Horton, Jr.

NHH/amb
Enclosures
cc: Parties of Record

DOCUMENT NUMBER - DATE

04134 MAR 31 5

FPSC-COMMISSION CLERK


BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of)
)
Joint Petition for Arbitration of)
)
NewSouth Communications Corp.,) Docket No. 040130-TP
NuVox Communications, Inc.)
KMC Telecom V, Inc., KMC Telecom III LLC, and)
Xspedius Communications LLC on Behalf of its)
Operating Subsidiaries Xspedius Management Co.)
Switched Services, LLC and Xspedius Management Co.)
of Jacksonville, LLC,) Filed: March 31, 2004
)
)
Of an Interconnection Agreement with)
BellSouth Telecommunications, Inc.)
Pursuant to Section 252(b) of the)
Communications Act of 1934, as Amended)
_____)

NOTICE OF FILING

Joint Petitioners hereby provide Notice of Filing of a copy of a Procedural Ruling issued by the Alabama Public Service Commission in Docket No. 29242 on March 30, 2004. On March 23, 2004 BellSouth presented a Notice of Filing of a prior Procedural Ruling entered by the Alabama Public Service Commission and the ruling of March 30, 2004, clarifies the initial ruling to "allow Joint Petitioners to file consolidated and integrated testimony which will permit each CLEC representation on each issue."

Respectfully submitted this 31st day of March, 2004.


NORMAN H. HORTON, JR., ESQ.
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CERTIFICATE OF SERVICE

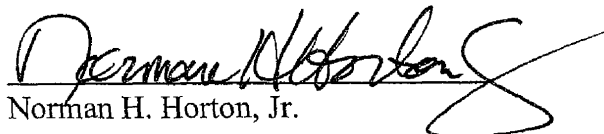
I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following parties by Hand Delivery (*), and/or U. S. Mail this 31st day of March, 2004.

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Norman H. Horton, Jr.



STATE OF ALABAMA
 ALABAMA PUBLIC SERVICE COMMISSION
 P.O. BOX 304260
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JIM SULLIVAN, PRESIDENT
 JAN COOK, ASSOCIATE COMMISSIONER
 GEORGE C. WALLACE, JR., ASSOCIATE COMMISSIONER

WALTER L. THOMAS JR.
 SECRETARY

In the Matter of)	Docket No. 29242
)	
Joint Petition for Arbitration of)	
)	
NewSouth Communications Corp., KMC)	
Telecom V, Inc., KMC Telecom III LLC,)	
and Xspedius Communications, LLC on)	
Behalf of its Operating Subsidiaries,)	
Xspedius Management Co. Switched)	
Services LLC, Xspedius Management Co.)	
of Birmingham LLC, Xspedius Management)	
Co. of Mobile LLC, and Xspedius)	
Management Co. of Montgomery LLC.)	
)	
Of an Interconnection Agreement with)	
BellSouth Telecommunications, Inc.,)	
Pursuant to Section 252(b) of the)	
Communications Act of 1934, as Amended)	

Procedural Ruling

On March 24, 2004, NewSouth Communications Corp., KMC Telecom V, Inc., KMC Telecom III LLC and Xspedius Communications LLC on behalf of its operating subsidiaries, Xspedius Management Co. Switched Services LLC, Expedius Management Co. of Birmingham LLC, Xspedius Management Co. of Mobile LLC, and Xspedius Management Co. of Montgomery LLC filed a Joint Motion for clarification of Procedural Ruling in the above referenced matter.

The Joint Motion requested that the Arbitration Panel provide clarification of the statement "Petitioners may sponsor one witness per issue or sub issue." Further the Petitioners requested that the Procedural Ruling be clarified to state that each Petitioner may sponsor one witness per issue or sub issue. Petitioners requested this clarification in order to preserve their right to present witnesses on each issued raised.

Petitioners stated that in order to present company specific testimony and to avoid hearsay testimony, the above clarification was necessary. In addition, the Petitioners indicated that at most there would be nine Competitive Local Exchange Carrier (CLEC) witnesses in their case and that the presentation of their testimony would be in a consolidated and integrated approach on all issues.

The Arbitration Panel is not attempting to deny any party its due process not is it requesting that any party waive its rights to present testimony. Neither is the panel inviting hearsay testimony. The panel does want the hearing process to proceed as quickly as possible without undue complications or duplication of effort. Thus the panel will allow Joint Petitioners to file consolidated and integrated testimony which will permit each CLEC representation on each issue.

IT IS SO RULED.

DATED at Montgomery, Alabama this *30th* day of March, 2004.

Larry S. Smith

Larry S. Smith

Terry L. Butts ^{*SR*} *w. th permission*

Justice Terry L. Butts

Rolland Casey

Rolland Casey