

ORIGINAL

**Matilda Sanders**

**From:** mfeil@mail.fdn.com  
**Sent:** Friday, April 29, 2005 2:57 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** E Filing for Docket No. 041338  
**Attachments:** FDN Request for Oral Argument for Motion for Recon.doc

To: Division of the Commission Clerk and Administrative Services

Please find attached for filing in the captioned docket FDN Communication's Request for Oral Argument

In accordance with the Commission's e-filing procedures, the following information is provided:

(a) The person responsible for this filing is:

**Name:** Matthew J. Feil, General Counsel  
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**Phone No:** 407-835-0460  
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(b) Docket No. and Title: 041338, Joint petition by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom d/b/a Grapevine; Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch; DIECA Communications, Inc. d/b/a Covad Communications Company; Florida Digital Network, Inc.; LecStar Telecom, Inc.; MCI Communications, Inc.; and Network Telephone Corporation ("Joint CLECs") for generic proceeding to set rates, terms, and conditions for hot cuts and batch hot cuts for UNE-P to UNE-L conversions and for retail to UNE-L conversions in BellSouth Telecommunications, Inc. service area.

(c) The party on whose behalf the document is filed: Florida Digital Network, Inc. d/b/a FDN Communications

(d) Number of pages of the document: 3 pages.

(e) Description of each document attached: FDN Communications' Request for Oral Argument.

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04183 APR 29 05

FPSC-COMMUNICATIONS

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Generic Proceeding to Set	)	Docket No. 041338-TP
Rates, Terms, and Conditions for Batch Hot	)	
Cuts for UNE-P to UNE-L Conversions and for	)	
ILEC to UNE-L Conversions in the BellSouth	)	
Telecommunications, Inc. Service Area	)	

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In Re: Petition of Supra	)	Docket No. 040301-TP
Telecommunications and Information	)	
Systems, Inc.'s for arbitration	)	
With BellSouth Telecommunications, Inc.	)	Filed: April 29, 2005
	)	

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**FDN COMMUNICATIONS' REQUEST FOR ORAL ARGUMENT**

Pursuant to Rules 25-22.058 and 25-22.060, Florida Administrative Code, Florida Digital Network, Inc., d/b/a FDN Communications ("FDN") respectfully requests oral argument on the Motion for Reconsideration of Order Establishing Procedure or, in the Alternative, Motion for True-up ("Motion") filed contemporaneous to this Request. In support of this Request, FDN states as follows:

1. The Motion presents issues extraordinarily material and immediate to competition in the telecommunications market in the State of Florida. Oral argument will insure that the Commission understands the gravity of the matter.
2. Evaluation of the relief sought by the Motion may entail involved scheduling issues best resolved through a "live" and open discussion.

3. The alternative relief in the Motion presents a relatively novel approach to remedying the flaws in the Order Establishing Procedure. The Commission may have numerous questions best resolved through oral argument.

WHEREFORE, FDN respectfully requests oral argument on its Motion at the earliest available Commission Agenda Conference.

RESPECTFULLY SUBMITTED, this 29<sup>th</sup> day of April, 2005.

\_\_\_\_\_/s/\_\_\_\_\_  
Matthew Feil  
FDN Communications  
2301 Lucien Way, Suite 200  
Maitland, FL 32751  
(407) 835-0460

I. CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to the following by email, provided an email address is listed below, and by U.S. mail this 29<sup>th</sup> day of April, 2005.

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