

ORIGINAL

Timolyn Henry

From: Sherri Harvey [sbharvey@suzannesummerlinattorney.com]
Sent: Monday, June 19, 2006 4:21 PM
To: Filings@psc.state.fl.us
Subject: Consolidated docket nos. 060083-TP & 060296-TP
Attachments: SSI's Cover Letter for FPSC Filings.doc; SSI's Preliminary List of Issues 06.19.06 (final).doc

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A: Suzanne F. Summerlin, Esq
 Suzanne Fannon Summerlin, P.A.
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B. In re: **DOCKET NO. 060083-TP** Complaint of Northeast Florida Telephone Company d/b/a NEFCOM against Southeastern Services, Inc. for alleged failure to pay intrastate access charges pursuant to NEFCOM's tariffs, and for alleged violation of Section 364.16(3), F. S.

AND

DOCKET NO. 060296-TP Primary Jurisdiction Referral by Baker County Circuit Court of VoIP Access Charge Issue Between Northeast Florida Telephone Company and Southeastern Services, Inc.

- C. Filed on behalf of Southeastern Services, Inc.
 D. Total number of pages being filed: Five (5)
 E. Cover letter to Ms. Blanca S. Bayo, Director Commission Clerk and Administrative Services (1 page)
 F. SSI's Preliminary List of Issues (4 pages)

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DOCUMENT NUMBER-DATE

05316 JUN 19 08

FPSC-COMMISSION CLERK

6/19/2006

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June 19, 2006

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

RE: DOCKET NO. 060083-TP - Complaint of Northeast Florida Telephone Company d/b/a NEFCOM against Southeastern Services, Inc. for alleged failure to pay intrastate access charges pursuant to NEFCOM's tariffs, and for alleged violation of Section 364.16(3), F. S.

AND

DOCKET NO. 060296-TP - Primary Jurisdiction Referral by Baker County Circuit Court of VoIP Access Charge Issue Between Northeast Florida Telephone Company and Southeastern Services, Inc.

Dear Ms. Bayo:

On behalf of Southeastern Services, Inc. attached is Southeastern Services, Inc.'s Preliminary List of Issues, to be filed in the above-referenced docket(s). If you have any questions about this filing, please call me. Thank you.

Sincerely,

s/ Suzanne F. Summerlin

SFS/sbh

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Northeast Florida Telephone Company d/b/a NEFCOM against Southeastern Services, Inc. for alleged failure to pay intrastate access charges pursuant to NEFCOM's tariffs, and for alleged violation of Section 364.16(3), F. S.

DOCKET NO. 060083-TP

AND

Primary Jurisdiction Referral by Baker County Circuit Court of VoIP Access Charge Issue Between Northeast Florida Telephone Company and Southeastern Services, Inc.

DOCKET NO. 060296-TP
FILED: June 19, 2006

SSI'S PRELIMINARY LIST OF ISSUES

SOUTHEASTERN SERVICES, INC. ("SSI"), hereby submits this Preliminary List of Issues for the above-referenced consolidated Dockets for the Issue Identification Conference scheduled for Wednesday, June 21, 2006. SSI reserves the right to amend and add to this Preliminary List of Issues through the date of the Issue Identification Conference.

1. The issue referred by the Circuit Court of Baker County: Is Southeastern Services, Inc. legally responsible for payment to Northeast Florida Telephone Company for originating intrastate access charges under Northeast Florida Telephone Company's Florida Public Service Commission-approved tariff for the long distance calls provided by Southeastern Services, Inc.?
2. Were the "long distance calls" that Northeast Florida Telephone Company ("NEFCOM") alleges were made in the pertinent time frame actually Voice Over Internet Protocol services?

3. Did any of NEFCOM's state or federal tariffs in place in the pertinent time frame address Voice Over Internet Protocol services and, if so, what precise provisions were applicable to SSI's Voice Over Internet Protocol services?
4. Were SSI's Voice Over Internet Protocol services provided in the pertinent time frame enhanced and/or information services?
5. Was SSI's traffic at issue jurisdictionally interstate?
6. Was SSI providing an interexchange "telephone toll service" using the PRIs provided by NEFCOM?
7. Was that portion of SSI's traffic that originated in Macclenny and terminated in Jacksonville EAS traffic?
8. Was SSI acting as a CLEC, IXC or end user ESP when it provided the VOIP services in issue?
9. Are any of NEFCOM's claims against SSI time-barred?
10. Did SSI expressly, impliedly or constructively order Feature Group A switched access service from NEFCOM?
11. Did NEFCOM provide Feature Group A switched access service to SSI?
12. Is SSI liable for intrastate originating access charges to NEFCOM for the traffic in issue?
13. If SSI is liable to NEFCOM for intrastate originating access charges on such VoIP services, for what amount is SSI liable?

Respectfully submitted this 19th day of June, 2006.

s/ Suzanne Fannon Summerlin

Suzanne F. Summerlin

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Attorney for Southeastern Services, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided via facsimile on this 19th day of June, 2006, to the following:

Kenneth Hoffman, Esq.
Rutledge Law Firm
Post Office Box 551
Tallahassee, FL 32302-0551

Jason Fudge
Division on Competitive Markets &
Enforcement
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

s/ Suzanne Fannon Summerlin
Suzanne F. Summerlin, Esq.