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July 27, 2006

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**VIA HAND DELIVERY**

Ms. Blanca S. Bayó, Director  
Division of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: DOCKET NO. 060479-TP - PETITION BY VERIZON FLORIDA INC. FOR DISPUTE RESOLUTION WITH XO COMMUNICATIONS SERVICES, INC. CONCERNING NON-UNE TRANSPORT FACILITIES RETAINED AT UNE PRICES**

Dear Ms. Bayó:

CMP 1

COM \_\_\_\_\_ On July 26, 2006, XO filed its Answer and Request for Consolidation in the above-referenced Docket. Unfortunately, subsequent to filing, it was determined that an erroneous statement had been included.

ECR \_\_\_\_\_ In order to address this error, enclosed for filing, you will find the original and 15 copies  
GCL 1 of XO Communications Services, Inc.'s (redacted) Amended Answer to Verizon Florida Inc.'s  
OPC \_\_\_\_\_ Petition in this Docket, along with a redacted amended version on diskette. In addition, you will  
RCA \_\_\_\_\_ also find the original and one redacted copy of amended page 9 of the confidential version of  
XO's Answer.

SCR \_\_\_\_\_ Please accept this letter as a request to include the confidential, highlighted copy of page  
SGA 9 under the confidential cover of the Claim of Confidentiality filed in conjunction with XO's

SEC 1

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{TL101981;2}

DOCUMENT NUMBER-DATE

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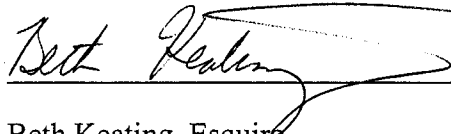
Ms. Blanca S. Bayó, Director  
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Answer on July 26. For the same reasons identified therein, XO believes that the highlighted information on page 9 should be treated as proprietary, confidential information in accordance with Section 364.183, Florida Statutes.

Thank you for your assistance with this filing. My apologies for any inconvenience resulting from this error. If you have any questions, please do not hesitate to contact me at (850) 521-8002.

Sincerely,

A handwritten signature in black ink that reads "Beth Keating". The signature is written in a cursive style and is positioned above a horizontal line.

Beth Keating, Esquire  
**Akerman Senterfitt**  
106 East College Avenue, Suite 1200  
P.O. Box 1877 (32302)  
Tallahassee, Florida 32301  
(850) 521-8002  
Fax: (850) 222-0103  
beth.keating@akerman.com

Enclosures

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REDACTED

Amended

included on the non-impaired list improperly. XO has elected to disconnect circuits out of these wire centers and put on hold plans for new orders out of these wire centers pending further review by the Commission of the propriety of Verizon's designation of these wire centers as "non-impaired." XO has been forced to use this approach, rather than assume the risk of possible retroactive application of Verizon's tariffed month-to-month special access rates, because Verizon has refused to provide the specific information regarding Verizon's basis, or bases, for including these three wire centers on its list of "non-impaired" wire centers.

Nevertheless, these wire centers are disputed by XO. XO believes that there is sufficient evidence that Verizon is misapplying the term "fiber-based collocators," that it has done so in numerous states, that it continues to do so in numerous jurisdictions including Florida, and that it will continue to do so until otherwise instructed by the appropriate state commissions. Based on the limited information that XO has been able to obtain, the \*\*\*\* wire centers identified here by XO are among those most likely negatively impacted by Verizon's misapplication of the term "fiber-based collocators."

Furthermore, as noted herein, Verizon indicates that it has not included \*\*\*\*\*in its petition for dispute resolution simply because XO has not yet ordered UNEs out of these wire centers. These wire centers must, nevertheless, be included in this dispute resolution process. Specifically, ¶ 234 of the TRRO, as implemented in Section 3.6.1.1 of the parties' TRO Amendment, requires that a CLEC must undertake a reasonably diligent inquiry before self-certifying and ordering UNE circuits in a wire center; XO is, however, unable to complete its reasonably diligent inquiry into these wire centers, because it is