

ORIGINAL

Matilda Sanders

From: Fatool, Vicki [Vicki.Fatool@BellSouth.COM]
Sent: Monday, September 11, 2006 2:50 PM
To: Filings@psc.state.fl.us
Subject: New Docket: BellSouth's Petition to Change Demarcation Point (Miami)
Attachments: Demarc_P.pdf

060603-TL

- A. Vicki Fatool
 Legal Secretary to James Meza III and Manuel Gurdian
 BellSouth Telecommunications, Inc.
 150 South Monroe Street
 Suite 400
 Tallahassee, Florida 32301
 (305) 347-5560
vicki.fatool@bellsouth.com
- B. New Docket: Petition by BellSouth Telecommunications, Inc. Requesting Permission to Change Demarcation Point
 Specified in Rule 25-4.0345(1)(b), Florida Administrative Code (Miami)
- C. BellSouth Telecommunications, Inc.
 on behalf of Manuel Gurdian
- D. 10 pages total (including letter, pleading, certificate of service and exhibits)
- E. BellSouth Telecommunications, Inc.'s Petition to Change Demarcation Point
 .pdf version attached

<<Demarc_P.pdf>>

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DOCUMENT NUMBER-DATE

08258 SEP 11 8

FPSC-COMMISSION CLERK

060603-TL
ORIGINAL

Legal Department

Manuel A. Gurdian
Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

September 11, 2006

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

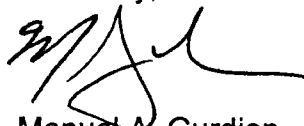
Re: **Docket No.:**
Petition by BellSouth Telecommunications, Inc. Requesting
Permission to Change Demarcation Point Specified in Rule 25-
4.0345(1)(b), Florida Administrative Code (Miami)

Dear Ms. Bayo:

Enclosed is BellSouth Telecommunications, Inc.'s Petition to Change Demarcation Point, which we ask that you file in the *new* captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,



Manuel A. Gurdian

cc: All Parties of Record
Jerry D. Hendrix
E. Earl Edenfield, Jr.
James Meza III

DOCUMENT NUMBER-DATE

08258 SEP 11 06

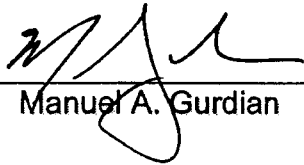
FPCO COMMUNICATIONS SECTION

CERTIFICATE OF SERVICE
Petition by BellSouth Telecommunications, Inc. Requesting
Permission to Change Demarcation Point Specified in Rule 25-
4.0345(1)(b), Florida Administrative Code (Miami)

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
First Class U. S. Mail this 11th day of September, 2006 to the following:

Patrick Wiggins
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
pwiggins@psc.state.fl.us

Fredric M. Garvett
Silver Garvett & Hankel, P.A.
18001 Old Cutler Rd., Ste. 600
Miami, FL 33157-6416



Manuel A. Gurdian

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by BellSouth Telecommunications, Inc.)
Requesting Permission to Change Demarcation Point)
Specified in Rule 25-4.0345(1)(b), Florida)
Administrative Code (Miami))
_____)

Docket No.: 060608-TL

Filed: September 11, 2006

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
PETITION TO CHANGE DEMARCATION POINT**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests the Florida Public Service Commission ("Commission") to grant, pursuant to and as contemplated by Rule 25-4.0345(1)(b) ("the Rule"), Florida Administrative Code, permission for BellSouth to provide service at a different demarcation point, than as specified in the Rule, for basic local service to tenants at the commercial office campus at 18001 Old Cutler Road ("Building A"), 17901 Old Cutler Road ("Building B"), and 18101 Old Cutler Road ("Building C"), Miami, Florida 33157, (referred to jointly as the "Office Campus"), owned by 17777 Old Cutler Road, LLC ("Old Cutler"), for the reasons set forth below. Specifically, BellSouth seeks the following:

1. BellSouth is a local exchange company lawfully doing business in the State of Florida whose regulated operations are subject to the jurisdiction of this Commission pursuant to Chapter 364, Florida Statutes.
2. BellSouth's principal place of business is 675 W. Peachtree St., NE, Suite 4500, Atlanta, GA 30375. Pleadings and process may be served upon:

DOCUMENT NUMBER-DATE
08258 SEP 11 8
FPSC-COMMISSION CLERK

James Meza III
Manuel A. Gurdian
c/o Nancy H. Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street
Suite 400
Tallahassee, FL 32301

3. Pleadings and process for Old Cutler may be served upon:

Fredric M. Garvett
Silver Garvett & Hankel, P.A.
18001 Old Cutler Rd, Ste. 600
Miami, FL 33157-6416

4. Rule 25-4.0345(1)(b), Florida Administrative Code, sets forth the required location, unless otherwise ordered by the Commission for good cause shown, for the point of physical interconnection between the telephone network and the customer's premises wiring, or the demarcation point.

5. Rule 25-4.0345(1)(b)(2) requires that the demarcation point for a single line/multi-customer building be located within the customer's premises at a point easily accessed by the customer.

7. Upon information and belief, Old Cutler owns the Office Campus, which consists of three main buildings, Buildings A, B and C. *See* Exhibit "A" attached hereto.

8. Upon information and belief, the Office Campus was once the corporate headquarters for Burger King Corporation, a single customer. *See* Exhibit "B" attached hereto.

9. On or about October 2003, the Office Campus was sold to Old Cutler. *See* Exhibit "A". Upon information and belief, the Office Campus has now been converted from a single tenant to a multi-tenant premises.

10. Old Cutler has requested a single point of demarcation for BellSouth services at the Office Campus to be located in the 3rd floor meter room located in Building A¹. See Exhibit "C" attached hereto.


11. BellSouth fully supports the existing Rule but is requesting the approval for good cause – in order to provide service to tenants at the Office Campus given Old Cutler's requested demarcation point.

12. Thus, to the extent BellSouth needs the Commission to approve a different demarcation point for basic local service to the Office Campus, this Petition requests approval for "good cause shown" under the Rule.

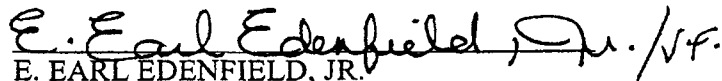
WHEREFORE, BellSouth requests that, having demonstrated good cause for the relief requested herein, the Commission grant its Petition.

Respectfully submitted this 11th day of September, 2006.

BELLSOUTH TELECOMMUNICATIONS, INC.



JAMES MEZA III
MANUEL A. GURDIAN
c/o Nancy H. Sims
150 So. Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558


E. EARL EDENFIELD, JR.
Suite 4300
675 W. Peachtree St., NE
Atlanta, GA 30375
(404) 335-0763

634404

¹ Presently, the demarcation point for BellSouth's services at the Office Campus is located in Building A; however, prior to the conversion to multi-tenant there was no need to seek a waiver as there was only one customer located at the Office Campus.

My Home



miamidade.gov

ACTIVE TOOL: SELECT



Show Me:

Property Information

Search By:

Select Item

Text only

Property Appraiser Tax Estimator

Summary Details:

Folio No.:	33-5035-013-0020
Property:	17777 OLD CUTLER RD
Mailing Address:	17777 OLD CUTLER RD LLC 1110 BRICKELL AVE PH ONE MIAMI FL 33131-

Property Information:

Primary Zone:	9500 OFFICE PARK DISTRICT
CLUC:	0013 OFFICE BUILDING
Beds/Baths:	0/0
Floors:	6
Living Units:	0
Adj Sq Footage:	442,053
Lot Size:	1,089,583 SQ FT
Year Built:	1988
Legal Description:	BURGER KING WORLD HEADQUARTERS PB 127-86 TR B LOT SIZE 24.945 AC M/L F/AU 30-5035-013-0020 OR 21048-3797 0203 3 (2)

Sale Information:

Sale O/R:	21750-1589
Sale Date:	10/2003
Sale Amount:	\$18,500,000

Assessment Information:

Year:	2005	2004
Land Value:	\$6,976,126	\$6,976,126
Building Value:	\$10,183,108	\$10,183,108
Market Value:	\$17,159,234	\$17,159,234
Assessed Value:	\$17,159,234	\$17,159,234
Total Exemptions:	\$0	\$0
Taxable Value:	\$17,159,234	\$17,159,234



Digital Orthophotography - 2005

0 ————— 360 ft

We appreciate your feedback, please take a minute to complete our survey.

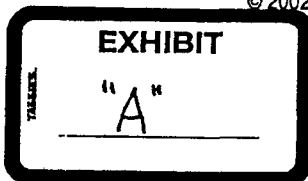
My Home | Property Information | Property Taxes
| My Neighborhood | Property Appraiser

Home | Using Our Site | About | Phone Directory | Privacy | Disclaimer

If you experience technical difficulties with the Property Information application, please click here to let us know.

E-mail your comments, questions and suggestions to Webmaster

Web Site
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2002 UNIFORM BUSINESS REPORT (UBR)

FILED
Feb 24, 2002 8:00 am
Secretary of State

02-24-2002 90023 029 ***150.00

DOCUMENT # 193606

1. Entity Name
BURGER KING CORPORATION

Principal Place of Business
**1777 OLD CUTLER ROAD
 MIAMI FL 33157**

Mailing Address
**P.O. BOX 020783
 MIAMI FL 33102-0783
 US**



DO NOT WRITE IN THIS SPACE

2. Principal Place of Business
 Suite, Apt. #, etc.

3. Mailing Address
10 Landmark Square
 Suite, Apt. #, etc.

City & State
Stamford, CT

7. FEI Number
59-0787929

Applied For
 Not Applicable

5. Certificate of Status Desired **\$8.75 Additional Fee Required**

6. Name and Address of Current Registered Agent
**CT CORPORATION SYSTEM
 1200 S. PINE ISLAND ROAD
 PLANTATION FL 33324**

7. Name and Address of New Registered Agent
 Name
 Street Address (P.O. Box Number is Not Acceptable)
 City **FL** Zip Code

8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE _____ DATE _____
Signature, typed or printed name of registered agent and title if applicable (NOTE: Registered Agent signature required when reinstating)

9. This corporation is eligible to satisfy its Intangible Tax filing requirement and elects to do so. (See criteria on back)

FILE NOW!!! FEE IS \$150.00
After May 1, 2002 Fee will be \$550.00
Make Check Payable to Department of State

10. Election Campaign Financing Trust Fund Contribution. **\$5.00 May Be Added to Fees**

11. OFFICERS AND DIRECTORS		12. ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS IN 11	
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DCEP DASBURG, JOHN H 2 HARBOR POINT KEY BISCAYNE FL 33149 <input type="checkbox"/> Delete	TITLE NAME STREET ADDRESS CITY-ST-ZIP	AS BRUCE D. MILLER 232 Breakers Lane Stamford, CT 06105 <input type="checkbox"/> Change <input checked="" type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DEVP CERRONE, STEPHEN 13643 DEERING BAY DRIVE #156 CORAL GABLES FL 33158 <input type="checkbox"/> Delete	TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DEVP CLOUSER, CHRISTOPHER E 1643 BRICKELL AVENUE, UNIT 2701 MIAMI FL 33129 <input type="checkbox"/> Delete	TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DVGC HIRST, RICHARD B 13645 DEERING BAY DRIVE, PH 164 CORAL GABLES FL 33158 <input type="checkbox"/> Delete	TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input checked="" type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DVCO LODRUP, KIM A 7760 S.W. 173RD STREET MIAMI FL 33157 <input type="checkbox"/> Delete	TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DVCF NUSSBAUM, BENNETT L 2173 MARSH BROOK ROAD WESTLAKE VILLAGE CA 91361 <input type="checkbox"/> Delete	TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition

13. I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Section 119.07(3)(i), Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my signature shall have the same legal effect as if made under oath, that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears in Block 11 or Block 12 if changed, or on an attachment with an address, with all other like

SIGNATURE: *Bruce D. Miller*
 SIGNATURE AND TYPED OR PRINTED NAME OF

EXHIBIT
 "B"

2/8/02 (203) 359-7246
 Date Daytime Phone #

CR2E034 (9/01)

2003 FOR PROFIT CORPORATION UNIFORM BUSINESS REPORT (UBR)


FILED
Jan 29, 2003 8:00 am
Secretary of State

01-29-2003 90304 022 ***150.00

001K107 AT

DOCUMENT # 193606

1. Entity Name
BURGER KING CORPORATION



Principal Place of Business
~~1777 OLD CUTLER ROAD~~
~~MIAMI FL 33109~~
558 Blue Lagoon Drive
Miami, Florida 33126

Mailing Address
~~6 LANDMARK DR~~
~~STAMFORD CT 06901~~
5505 Blue Lagoon Drive
Miami, Florida 33126



2. Principal Place of Business
Suite, Apt. #, etc.

3. Mailing Address
Suite, Apt. #, etc.

CHECK HERE IF MAKING CHANGES

City & State
Zip Country

4. FEI Number **59-0787929**
Applied For
 Not Applicable

5. Certificate of Status Desired **\$8.75** Additional Fee Required

6. Name and Address of Current Registered Agent
CT CORPORATION SYSTEM
1200 S. PINE ISLAND ROAD
PLANTATION FL 33324

7. Name and Address of New Registered Agent
Name
Street Address (P.O. Box Number is Not Acceptable)
City **FL** Zip Code

8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent.

SIGNATURE _____
Signature, typed or printed name of registered agent and title if applicable (NOTE: Registered Agent signature required when reinstating) DATE

FILE NOW!!! FEE IS \$150.00
After May 1, 2003 Fee will be \$550.00
Make Check Payable to Florida Department of State

9. Election Campaign Financing Trust Fund Contribution. **\$5.00** May Be Added to Fees

10. OFFICERS AND DIRECTORS	
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DCEP DASBURG, JOHN H 2 HARBOR POINT KEY BISCAIYNE FL 33149 <input type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DEVP CERRONE, STEPHEN 13643 DEERING BAY DRIVE #156 CORAL GABLES FL 33158 <input type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DEVP CLOUSER, CHRISTOPHER E 1643 BRICKELL AVENUE, UNIT 2701 MIAMI FL 33129 <input type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DVGC HIRST, RICHARD B 13645 DEERING BAY DRIVE, PH 164 CORAL GABLES FL 33158 <input type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DVCO LODRUP, KIM A 7780 S.W. 173RD STREET MIAMI FL 33157 <input checked="" type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY-ST-ZIP	DVCF NUSSBAUM, BENNETT L 2173 MARSH BROOK ROAD WESTLAKE VILLAGE CA 91361 <input type="checkbox"/> Delete

11. ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS IN 11	
TITLE NAME STREET ADDRESS CITY-ST-ZIP	Chairman <input checked="" type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	CEO Bradley D. Blum 5505 Blue Lagoon Drive Miami, Florida 33126 <input checked="" type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY-ST-ZIP	<input type="checkbox"/> Change <input type="checkbox"/> Addition

12. I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Section 119.07(3)(i), Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears in Block 10 or Block 11 if changed, or on an attachment with an address, with all other like empowered.

SIGNATURE: ELBIE ROMERO **REQUIRED** 1/27/03 305/378-3264
SIGNATURE AND TYPED OR PRINTED NAME OF SIGNING OFFICER OR DIRECTOR Date Daytime Phone

ELBIE ROMERO, ASST SECRETARY

CR2E034 (10/02)

17777 Old Cutler Road, LLC
c/o Silver, Garvett & Hankel, P.A.
18001 Old Cutler Road, Ste. 600
Miami, FL 33157-6416

Dear property owner:

Per Title 47 of the Code of Federal Regulations, Part 68.3, the Federal Communications Commission (FCC) requires telecommunications carriers to fully inform property owners of available options for location of the point(s) of service demarcation. The purpose of this letter is to provide you with such information and to serve as a record of your choice in this matter.

The above referenced rule permits the carrier to adopt a uniform policy of locating all tenants' service demarcation points at the Minimum Point of Entry (MPOE) of the property. If the carrier does not adopt such a policy, the property owner shall decide whether to:

1. Allow the carrier to establish multiple points of demarcation, each point typically located within each tenant's premises; or,
2. Require the carrier to locate all tenants' demarcation points at a single point on the property, typically at the MPOE.

BellSouth **has not** adopted a MPOE policy. Therefore, as the Property Owner or authorized agent of the Owner, you may choose one of the two options described above and listed below. If the Owner chooses MPOE demarcation, an exception to the general Florida Public Service Commission Rule (Rule 25-4.0345) requiring demarcation in each customer's premises will be necessary.

Please sign the appropriate box below indicating your election. Note that once demarcation points have been established, rearrangement of services, either to or from a MPOE demarcation point, is likely to involve considerable expense to the party requesting such rearrangement. Therefore, Owner is encouraged to carefully consider alternatives and to seek assistance from BellSouth, legal counsel, the Florida Public Service Commission or any other source if questions arise. BellSouth will provide a copy of this letter of election to state and federal regulatory agencies or other entities upon request.

Property Owner desires and elects that BellSouth, in consultation with the Owner and individual tenants, will establish multiple demarcation points at the subject property, each located as close as practicable to where BellSouth's wiring enters each tenant's premises. It is acknowledged and understood that BellSouth will install, maintain, repair and own all telecommunications cable and equipment required to provide BellSouth services to the various tenant demarcation points.

Name/Title of Property Owner or Agent

Signature & Date



Property Owner desires and elects that BellSouth establish a single point of demarcation for all tenants' services for tenants located in Building A (18001 Old Cutler Road), Building B (17901 Old Cutler Road, and Building C (18101 Old Cutler Road) at the MPOE located in the 3rd Floor meter room in Building A. Property Owner acknowledges and understands that BellSouth shall have no obligation to install, maintain or repair any telecommunications wiring or equipment between the MPOE and tenants' premises in Building A (18001 Old Cutler Road), Building B (17901 Old Cutler Road, and Building C (18101 Old Cutler Road); and that such responsibility rests with the Owner and/or tenants. Property Owner reserves the right to elect a different MPOE for any future buildings to be constructed at the subject property. In the event that any of the buildings are sold to third parties, and any of the third parties wish to request a change in the MPOE demarcation point election for the building(s), BellSouth will, in good faith, review the request consistent with its practices, procedures and tariffs in place at the time of the request. It is understood that this election is subject to the Florida Public Service Commission granting an exception to its general rule (Rule 25-4.0345) requiring demarcation in each customer's premises.

[Handwritten Signature] 9/7/06
Name/Title of Property Owner or Agent Signature & Date
for 17777 Old Cutler Road, LLC