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October 5, 2006

Via E-mail

Ms. Blanca Bayo
Florida Public Service Commission
2450 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: CLEC Response to Action Item 3
Docket No. 000121A

Dear Ms. Bayo:

Attached please find the CLEC Coalition's response to action item 3 in the above-referenced docket.

Sincerely,

/s/Vicki Gordon Kaufman
Vicki Gordon Kaufman

VGK/pg
Enclosure

cc: Parties of Record

Action Item 3. Please provide revised language for 4.4.7.2 regarding notification of overpayments and any proposed formula for payback.

If a SEEM overpayment is made to a CLEC, and BellSouth's SEEM liability calculated and payable to that CLEC in Florida in the next month's payment cycle is insufficient to cover the overpayment, BellSouth shall continue to apply the remaining overpayment amount to future Florida SEEM payments to the CLEC for a period of up to six months. After that time, if additional overpayment monies are due to BellSouth, BellSouth will contact the CLEC in writing to make payment arrangements. If, after negotiating in good faith for a period of 30 days, no agreement on payment arrangements can be made, the parties may appeal to the Commission to resolve the dispute.