

ORIGINAL

MEMORANDUM

FEBRUARY 15, 2007

RECEIVED FPSC

07 FEB 15 PM 2:45

COMMISSION  
CLERK

TO: DIVISION OF COMMISSION CLERK AND ADMINISTRATIVE SERVICES  
(COLE)

FROM: OFFICE OF THE GENERAL COUNSEL (FUDGE) 

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)(a), F.S.

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Attached are two letters received from Kenneth A. Hoffman of Rutledge, Ecenia, Purnell & Hoffman and an e-mail received from Jamie Crews of the Baker County Circuit Court which should be filed in the above-referenced docket.

JKF/js  
Attachment  
I:\2006\060083\ccamemo.doc

DOCUMENT NUMBER-DATE

01542 FEB 15 06

FPSC-COMMISSION CLERK

**Jason Fudge**

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**From:** Jamie Crews [jamiiec@bakercountyfl.org]  
**Sent:** Wednesday, February 14, 2007 12:24 PM  
**To:** Jason Fudge  
**Subject:** Re: Northeast Florida Telephone v. Southeastern Services

this case is closed as of 10/13/2006

----- Original Message -----

**From:** Jason Fudge  
**To:** sherrih@bakercountyfl.org ; jamiiec@bakercountyfl.org  
**Sent:** Tuesday, February 13, 2007 1:25 PM  
**Subject:** Northeast Florida Telephone v. Southeastern Services

The Circuit Court in case No. 02-2003-CA-0141, referred a matter to the Public Service Commission for resolution. NEFCOM has represented that the circuit court case has been closed. Can you confirm this?

Thank you,

Jason Fudge  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**RUTLEDGE, ECENIA, PURNELL & HOFFMAN**

PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS AT LAW

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MAGGIE M. SCHULTZ  
GOVERNMENTAL CONSULTANTS  
PARSONS B. HEATH  
MARGARET A. MENDUNI  
M. LANE STEPHENS

October 11, 2006

Jason Fudge, Esq.  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**HAND DELIVERY**

Re: Northeast Florida Telephone Company v. Southeastern Services, Inc.  
Circuit Court of the Eighth Judicial Circuit, In and for Baker County, Florida  
Case No. 02-2003-CA-0141

Dear Jason:

Enclosed with this letter is an executed copy of the Stipulation for Voluntary Dismissals with Prejudice of Amended Complaint and First Amended Counterclaim (Including Corrected First Amended Counterclaim) filed on behalf of Northeast Florida Telephone Company and Southeastern Services, Inc. in the above-referenced matter.

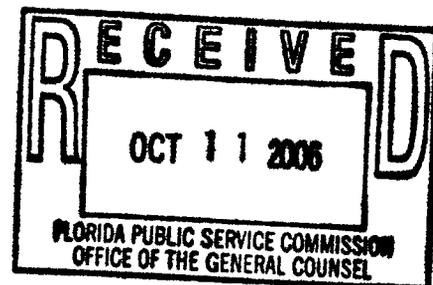
Please let me know if you need anything further in regard to Northeast Florida Telephone Company d/b/a NEFCOM and Southeastern Services, Inc.'s Joint Motion to Dismiss the Referral from the Circuit Court in Baker County.

Sincerely,



Kenneth A. Hoffman

KAH/rl  
Enclosures  
NFTC\fudge\tr.October 11 06



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October 11, 2006

Mr. Al Fraser  
Clerk of the Circuit  
Baker County, Florida  
339 E. Macclenny Avenue  
Macclenny, Florida 32063

Re: Northeast Florida Telephone Company v. Southeastern Services, Inc.  
Circuit Court of the Eighth Judicial Circuit, In and for Baker County, Florida  
Case No. 02-2003-CA-0141

Dear Mr. Fraser:

Enclosed for filing with regard to the above-referenced matter on behalf of Northeast Florida Telephone Company ("Northeast Florida") and Southeastern Services, Inc. ("SSI") is a Stipulation for Voluntary Dismissals with Prejudice of Amended Complaint and First Amended Counterclaim (Including Corrected First Amended Counterclaim).

Please stamp the enclosed copy of the letter "filed" and return it to me in the enclosed self-addressed, stamped envelope.

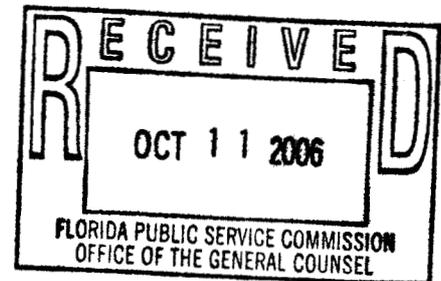
Thank you for your assistance in this regard.

Sincerely,



Kenneth A. Hoffman

KAH/rl  
Enclosures  
NFTC\clerk.October 11 06



IN THE CIRCUIT COURT OF THE EIGHTH  
JUDICIAL CIRCUIT IN AND FOR BAKER  
COUNTY, FLORIDA

Case No. 02-2003-CA-0141

NORTHEAST FLORIDA TELEPHONE  
COMPANY, a Florida Corporation,

Plaintiff,

vs.

SOUTHEASTERN SERVICES, INC.,  
a Florida Corporation,

Defendant.

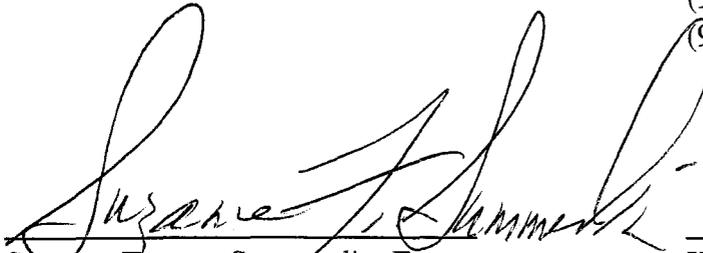
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**STIPULATION FOR VOLUNTARY DISMISSALS  
WITH PREJUDICE OF AMENDED COMPLAINT  
AND FIRST AMENDED COUNTERCLAIM (INCLUDING  
CORRECTED FIRST AMENDED COUNTERCLAIM)**

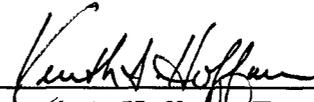
Plaintiff/Counter-Defendant , Northeast Florida Telephone Company (“Northeast Florida”),  
and Defendant/Counter-Plaintiff, Southeastern Services, Inc. (“SSI”), by and through their respective  
undersigned counsel, and pursuant to Rule 1.420(a), Florida Rules of Civil Procedure, hereby file  
this Stipulation for Dismissal with Prejudice of their respective claims pending in this cause.  
Northeast Florida hereby dismisses with prejudice its Amended Complaint filed in this cause. SSI  
hereby dismisses with prejudice its First Amended Counterclaim, including its Corrected First  
Amended Counterclaim, filed in this cause.

Respectfully submitted,

John S. Cooper, Esq.  
Florida Bar No. 0910340  
100 West Call Street  
Starke, Florida 32091  
(904) 964-4701 (Telephone)  
(904) 964-4839 (Telecopier)



Suzanne Fannon Summerlin, Esq.  
Florida Bar No. 398586  
Suzanne Fannon Summerlin, P.A.  
2536 Capital Medical Boulevard  
Tallahassee, FL 32309  
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Kenneth A. Hoffman, Esq.  
Florida Bar No. 307718  
J. Stephen Menton, Esq.  
Florida Bar No. 331181  
Lorena A. Holley, Esq.  
Florida Bar No. 0184454  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
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Brent G. Siegel, Esq.  
Florida Bar No. 349208  
Brent G. Siegel, P.A.  
4046 Newberry Road  
Gainesville, Florida 32607

- - and - -

Attorneys for Defendant/Counter-Plaintiff  
Southeastern Services, Inc.

Benjamin H. Dickens, Jr., Esq.  
Florida Bar No. 242764  
Blooston, Mordkofsky, Jackson & Dickens  
2120 L Street, Northwest  
Washington, DC 20037  
(202) 828-5510 (Telephone)  
(202) 828-5568 (Telecopier)

Attorneys for Plaintiff/Counter-Defendant  
Northeast Florida Telephone Company

**CERTIFICATE OF SERVICE**

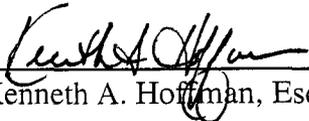
I HEREBY CERTIFY that a copy of the foregoing was furnished by U. S. Mail this 11<sup>th</sup> day of October, 2006 to the following:

Suzanne Fannon Summerlin, Esq.  
Suzanne Fannon Summerlin, P.A.  
2536 Capital Medical Boulevard  
Tallahassee, FL 32309

Brent G. Siegel, Esquire  
K. Cameron Koford, Esquire  
W. Charles Hughes, Esquire  
Brent G. Siegel, P.A.  
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Gainesville, Florida 32607

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Austin, Texas 78746

Patrick K. Wiggins, Esq.  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

  
\_\_\_\_\_  
Kenneth A. Hoffman, Esq.

**RUTLEDGE, ECENIA, PURNELL & HOFFMAN**

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PARSONS B. HEATH  
MARGARET A. MENDUNI

February 6, 2007

Jason Fudge, Esq.  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

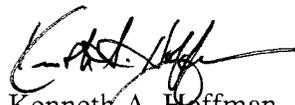
Re: Docket No. 040171-TP

Dear Mr. Fudge:

Enclosed is a copy of the Stipulation for Voluntary Dismissals with Prejudice of Amended Complaint and First Amended Counterclaim (Including Corrected First Amended Counterclaim) filed on October 13, 2006 in *Northeast Florida Telephone Company, Inc. v. Southeastern Services, Inc.*, Baker County Circuit Court Case No. 02-2003-CA-0141. The Baker County Circuit Court Clerk's office has closed this case in response to the Stipulation for Voluntary Dismissals. If you require further confirmation on this matter, please contact Jamie Crews (904) 259-0209.

On behalf of Northeast Florida Telephone Company, I again request that Staff proceed with a recommendation to close the above-referenced docket.

Sincerely,

  
Kenneth A. Hoffman

KAH/rl

Enclosure

cc: Ms. Deborah Nobles  
Suzanne Summerlin, Esq.  
Nftcfudge.feb0607ltr

FEB - 7 2007

IN THE CIRCUIT COURT OF THE EIGHTH  
JUDICIAL CIRCUIT IN AND FOR BAKER  
COUNTY, FLORIDA

Case No. 02-2003-CA-0141

NORTHEAST FLORIDA TELEPHONE  
COMPANY, a Florida Corporation,

Plaintiff,

vs.

SOUTHEASTERN SERVICES, INC.,  
a Florida Corporation,

Defendant.

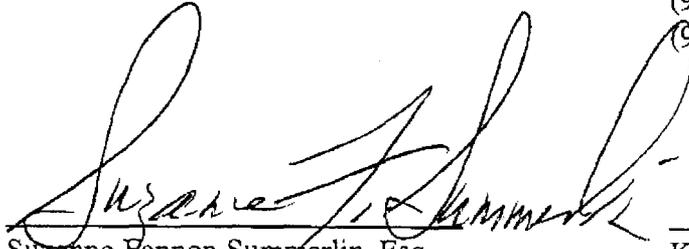
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**STIPULATION FOR VOLUNTARY DISMISSALS  
WITH PREJUDICE OF AMENDED COMPLAINT  
AND FIRST AMENDED COUNTERCLAIM (INCLUDING  
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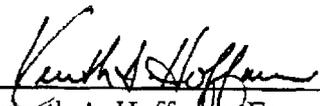
Plaintiff/Counter-Defendant , Northeast Florida Telephone Company ("Northeast Florida"), and Defendant/Counter-Plaintiff, Southeastern Services, Inc. ("SSI"), by and through their respective undersigned counsel, and pursuant to Rule 1.420(a), Florida Rules of Civil Procedure, hereby file this Stipulation for Dismissal with Prejudice of their respective claims pending in this cause. Northeast Florida hereby dismisses with prejudice its Amended Complaint filed in this cause. SSI hereby dismisses with prejudice its First Amended Counterclaim, including its Corrected First Amended Counterclaim, filed in this cause.

Respectfully submitted,

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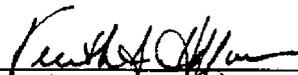
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