Section 1 - Bureau of Records Comple

Docket No.

040527-TP

Date Docketed:

06/04/2004

Title: Complaint to enforce interconnection agreement with

NuVox Communications, Inc. by BellSouth

Telecommunications, Inc.

Company:

BellSouth Telecommunications, Inc.

NuVox Communications, Inc.

Official Filing			Expi	ration:							
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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

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	- Prehearing Officer											
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Approved:	
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Section 1 - Bureau of Records Completes



Docket No. $\underline{040527\text{-TP}}$ Date Docketed: $\underline{06/04/2004}$ Title: Complaint to enforce interconnection agreement with

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Section 3 - Chairman Completes

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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

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Prehearing Officer

Approved: 138/the

Date: 06/18/2004

Section 1 - Bureau of Records Complete

040527-TP Docket No.

Date Docketed:

06/04/2004

Title: Complaint to enforce interconnection agreement with NuVox Communications, Inc. by BellSouth

Telecommunications, Inc.

Company:

BellSouth Telecommunications, Inc.

NuVox Communications, Inc.

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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

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Approved: BB/HW/rt

Date:

Section 1 - Bureau of Records Completes





Docket No. $\underline{040527\text{-TP}}$ Date Docketed: $\underline{06/04/2004}$ Title: Complaint to enforce interconnection agreement with

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Section 3 - Chairman Completes

Assignments are as follows:

<pre>- Hearing Officer(s)</pre>												
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Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

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Approved: 38/hm
Date: 07/08/2004

Section 1 - Bureau of Records Completes

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Docket No. <u>040527-TP</u> Date Docketed: <u>06/04/2004</u> Title: Complaint to enforce interconnection agreement with NuVox Communications, Inc. by BellSouth Telecommunications, Inc.

Company: BellSouth Telecommunications, Inc.

NuVox Communications, Inc.

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Where panels are assigned the senior Commissioner is Panel Chairman:

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Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: Date:

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Section 1 - Bureau of Records Complet

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Where panels are assigned the senior Commissioner is Panel Chairman:

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Approved: Date:

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Commissioners

Section 1 - Bureau of Records Complete:



Docket No. $\underline{040527\text{-}TP}$ Date Docketed: $\underline{06/04/2004}$ Title: Complaint to enforce interconnection agreement with NuVox Communications, Inc. by BellSouth Telecommunications, Inc.

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Approved: Date:

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CCA Official Filing 10/12/2004 10:09 AM******

Matilda Sanders*1

Matilda Sanders

From:

Jackie Schindler

Sent:

Tuesday, October 12, 2004 10:05 AM

To: Subject: CCA - Orders / Notices Order / Notice Submitted

Date and Time:

10/12/2004 10:05:00 AM

Docket Number:

040527=tp

Filename / Path:

040527or.jpr.doc

An order denying motion to dismiss and placing docket in abeyance has been moved to gc orders for issuance today

js



To:

Timolyn Henry

From: Marcus, Theodore [theodore.marcus@bellsouth.com]

Sent: Wednesday, April 06, 2005 2:58 PM

Vicki Gordon Kaufman; Filings@psc.state.fl.us

Cc: JHeitmann@KelleyDrye.com; JKashatus@KelleyDrye.com; JON MOYLE, JR.

Subject: RE: Docket No. 040527-TP

Thank you for your transmission. However, please be advised that the order you sent to the FPSC has not taken effect and, thus, your filing was premature and inappropriate. In the Court's order, it states: "... the preliminary injunction will become effective *only* upon plaintiffs' posting of appropriate security in the amount of \$1.5 million with the Clerk." *Order* at 5-6 (emphasis added). As of 2:15 p.m. today, NuVox had yet to post the \$1.5 mil bond imposed on it by the Court. Thus, the law of the case remains the outstanding NCUC Order of February 21, 2005, which commands NuVox to submit to an audit of its NC EELs within 45 days (*i.e.*, by April 7, 2005).

Thus, NuVox's representation to the FPSC is currently inaccurate and untruthful, because it is materially incomplete. It can only become accurate and truthful upon the posting of "appropriate security in the amount of \$1.5 million with the Clerk."

In light of the foregoing, we would ask that NuVox immediately withdraw its request for recognition until such time as it posts the bond.

Thank you.

Senior Regulatory Counsel BellSouth Telecommunications, Inc. 675 West Peachtree Street, N.E. 43rd Floor Atlanta, GA 30375 (404) 335-0722 theodore.marcus@bellsouth.com

----Original Message-----

From: Vicki Gordon Kaufman [mailto:vkaufman@moylelaw.com]

Sent: Monday, April 04, 2005 5:57 PM

To: filings@psc.state.fl.us

Cc: Edenfield, Kip; Marcus, Theodore; JHeitmann@KelleyDrye.com; JKashatus@KelleyDrye.com; JON MOYLE, JR.

Subject: Docket No. 040527-TP

Pursuant to the Commission's procedures for efiling, NuVox Communications, Inc. provides the following information.

a. The attorney responsible for the filing is:

Vicki Gordon Kaufman
Moyle Flanigan Katz Raymond & Sheehan, PA
The Perkins House
118 North Gadsden Street
Tallahassee, Florida 32301
850.681.3828
850.681.8788 (Fax)
vkaufman@moylelaw.com

- b. The document is to be filed in Docket No. 040527-TP.
- c. The document is filed on behalf of NuVox.

- d. The document is 9 pages long.
- e. The document is a Request for Official Recognition.

The information contained in this electronic mail transmission is attorney/client privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone collect at 850.681.3828. Thank you.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers. 117

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Page 1 of 1

Kay Flynn

From: Jeremy Susac

Sent: Thursday, June 09, 2005 2:44 PM

To: Kay Flynn; Jason Rojas; Rick Wright

Cc: Rose Thompson; Kim Griffin

Subject: RE: rec in 040527

yes.

From: Kay Flynn

Sent: Thursday, June 09, 2005 2:31 PM **To:** Jason Rojas, Jeremy Susac, Rick Wright

Cc: Rose Thompson; Kim Griffin

Subject: rec in 040527 **Importance:** High

The agenda date shown on this rec is 6/6/05. Should that be 6/21/05? Please confirm and we will pencil in the correct date.

Kay

State of Florida



Hublic Serbice Commission -M-E-M-O-R-A-N-D-U-M-

DATE: July 5, 2005

TO: Blanca S. Bayó, Director, Division of the Commission Clerk and

Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services, Division

of the Commission Clerk and Administrative Services

RE: DOCKET NO. 040028-TP & 040527-TP, AGENDA HELD 06/21/05.

RE: COMPLAINT AND REQUEST FOR SUMMARY DISPOSITION TO ENFORCE CONTRACT AUDIT PROVISIONS IN INTERCONNECTION AGREEMENT WITH NEWSOUTH COMMUNICATIONS CORP., BY BELLSOUTH TELECOMMUNICATIONS, INC.

COMPLAINT TO ENFORCE INTERCONNECTION AGREEMENT WITH NUVOX COMMUNICATIONS, INC. BY BELLSOUTH TELECOMMUNICATIONS, INC.

DOCUMENT No: 06062-05, 06/27/05

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMP

Acknowledged BY:

JF/rlm

State of Florida



Aublic Service Commission

CAPITAL CIRCLE OFFICE CENTER ◆ 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE:

July 15, 2005

TO:

Braulio L. Baez, Chairman

J. Terry Deason, Commissioner

Rudolph "Rudy" Bradley, Commissioner

Lisa Polak Edgar, Commissioner

Blanca S. Bayó, Commission Clerk and Administrative Services Director

Mary Andrews Bane, Executive Director

FROM:

Kay B. Flynn, Chief of Records, Division of the Commission Clerk &

Administrative Services 14

RE:

Minutes of 6/21/05 Commission Conference

Minutes of the 6/21/05 Commission conference are included in the agenda of the upcoming 7/19/05 Commission conference for approval. Commissioner Edgar has requested a correction to the decision language in Items 4 and 5 of those minutes. Prior to Commissioner Edgar's correction, the decision language read:

<u>DECISION</u>: Following a motion and a second to approve staff's recommendation, with additional direction that parties meet with staff to discuss the scope of the audit, a decision on the motion was deferred to the July 19, 2005 Conference.

The language with Commissioner Edgar's correction now reads (underlined text was <u>added</u>):

<u>DECISION</u>: Following a motion and a second to approve staff's recommendation, with additional direction that parties meet with staff to discuss the scope of the audit <u>and acceptable organization to conduct the audit</u>, a decision on the motion was deferred to the July 19, 2005 Conference.

Corrected pages 4 and 5 of the minutes are attached. Please substitute these pages in the copy of the 6/21/05 minutes you are currently reviewing. Also attached is a copy of page 35 from the transcript of discussion of the two items. The language in Commissioner Edgar's motion is reflected in lines 19 through 24 of page 35. The language in the minutes now agrees with the language in Commissioner Edgar's motion.

Attachments

cc:

Roberta Bass

Katrina Tew Hong Wang Minutes of Commission Conference June 21, 2005

ITEM NO.

CASE

4**

Docket No. 040028-TP - Complaint and request for summary disposition to enforce contract audit provisions in interconnection agreement with NewSouth Communications Corp., by BellSouth Telecommunications, Inc.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer:

Edgar

Staff:

GCL: Susac

CMP: Wright

<u>Issue 1</u>: Should the Commission grant BellSouth Telecommunications, Inc.'s Motion For Summary Disposition?

Recommendation: Yes. Staff recommends granting BellSouth's Motion for Summary Disposition and allowing BellSouth, at its sole expense, and upon thirty (30) days notice to NewSouth, to audit NewSouth's records to verify the type of traffic being transmitted over loop and transport combinations, also known as Enhanced Extended Link (EELs). Staff recommends requiring BellSouth to serve NewSouth with notice of its intent to conduct the audit, thirty (30) days in advance of the audit.

Issue 2: Should this Docket be closed?

<u>Recommendation</u>: Yes. In the event BellSouth's Motion for Summary Disposition is granted, staff recommends closing the docket because no further action is needed by the Commission.

<u>DECISION</u>: Following a motion and a second to approve staff's recommendation, with additional direction that parties meet with staff to discuss the scope of the audit and acceptable organization to conduct the audit, a decision on the motion was deferred to the July 19, 2005 Conference.

Commissioners participating: Baez, Deason, Bradley, Edgar

Minutes of Commission Conference June 21, 2005

ITEM NO.

CASE

5**

Docket No. 040527-TP - Complaint to enforce interconnection agreement with NuVox Communications, Inc. by BellSouth Telecommunications, Inc.

Critical Date(s):

None

Commissioners Assigned: All Commissioners

Prehearing Officer:

Edgar

Staff:

GCL: Rojas, Susac

CMP: Wright

<u>Issue 1</u>: Should the Commission grant BellSouth Telecommunications, Inc.'s Motion For Summary Disposition?

<u>Recommendation</u>: Yes. Staff recommends granting BellSouth's Motion for Summary Disposition and allowing BellSouth, at its sole expense, and upon thirty (30) days notice to NuVox, to audit NuVox's records to verify the type of traffic being transmitted over loop and transport combinations, also known as Enhanced Extended Link (EELs). Issue 2: Should this Docket be closed?

<u>Recommendation</u>: Yes. In the event BellSouth's Motion for Summary Disposition is granted, staff recommends closing the docket because no further action is needed by the Commission.

<u>DECISION</u>: Following a motion and a second to approve staff's recommendation, with additional direction that parties meet with staff to discuss the scope of the audit and acceptable organization to conduct the audit, a decision on the motion was deferred to the July 19, 2005 Conference.

Commissioners participating: Baez, Deason, Bradley, Edgar

motion for the staff recommendation. With that said, however, if there is a way that some of the expertise that we have in-house can help bring the parties to the table so that we can move forward to closer agreement as to the appropriate way to move forward on the audit, if there is a way to fold that into the staff recommendation, then I would like to begin to figure out that language.

б

CHAIRMAN BAEZ: Commissioner Deason, are you still comfortable with your suggestion?

COMMISSIONER DEASON: Yes, but I would like to -- I'm intrigued by Commission Edgar's remarks. And if she is willing to make a motion, I would certainly like to hear that.

COMMISSIONER BRADLEY: Well, before you make the motion, a stipulation is always, in my opinion, best for both parties, because that means that at least they see it as a balanced outcome. But -- well, let's hear the motion.

at this, but then feel free to jump in and help me wordsmith it to get it exactly right. I would make a motion that we move forward with the staff recommendation for Items 4 and 5, with the additional direction that the parties meet with the appropriate people on staff to discuss the scope of the audit and the appropriate, and agreeable to both parties, organization to conduct that audit.

COMMISSIONER DEASON: Let me say right up front that



BellSouth Telecommunications, Inc. Regulatory & External Affairs 150 South Monroe Street Suite 400

850 577 5555

Nancy H. Sims

Director

Tallahassee, FL 32301 Nancy.Sims@Bellsouth.com Fax 850 222 8640

040527-TP

August 31, 2005

Mrs. Blanca Bayó Division of the Commission Clerk and Administrative Services 2540 Shumard Oak Boulevard Tallahassee, Florida 32399

11720

TX031

Subject: Regulatory Contact Numbers for BellSouth

Dear Mrs. Bayó:

The BellSouth Telecommunications, Inc. Tallahassee Regulatory Office has recently changed telephone numbers. Please use this letter to change the official contact information for BellSouth that the Commission and the Commission Staff would use for BellSouth related matters. There is no change in the address or in the fax number that is used for Commission correspondence to BellSouth.

The main telephone number for the BellSouthTallahassee Regulatory Office (Nancy H. Sims) has been changed from (850)222-1201 to (850)577-5555. Both numbers will be active for several months.

Other numbers for the BellSouth Regulatory staff are as follows:

Jerry Hendrix

(850)577-5550

Stan Green

(850)577-5552

MaryRose Sirianni

(850)577-5553

Robyn Holland

(850)577-5551

Wayne Tubaugh

(850)577-5525

If you need any additional information, please let me know.

NancvH. Sims

Director - Regulatory Relations

Copy to:

Beth Salak

Dan Hoppe

Richard Melson

Mary Bane

Kevin Bloom

Richard Tudor

Tim Devlin

Chuck Hill

Larry Harris

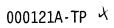
Katrina Tew

Cayce Hinton

Roberta Bass

Manny Arisso

Bev DeMello Beth Keating



Docket Index Listing

- 050387-TP X
- 050417-TP X
- 050418-TP X
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- 050562-TP X
- 050566-TLx
- 050567-TL_X
- 050570-TP。

Kimberley Pena

040527

From:

Kimberley Pena

Sent:

Friday, February 23, 2007 9:26 AM

To:

Nancy Sims

Cc:

Meza, James; Hendrix, Jerry D; Nonnye Grant; Hong Wang; Ann Cole

Subject: RE: Mailing Name for d/b/a (BellSouth/AT&T)

Per this e-mail, we will do so. Thank you.

Nonnye, FYI.

From: Sims, Nancy H [mailto:Nancy.Sims@bellsouth.com]

Sent: Thursday, February 22, 2007 5:17 PM

To: Kimberley Pena

Cc: Meza, James; Hendrix, Jerry D

Subject: Mailing Name for d/b/a (BellSouth/AT&T)

Kim.

As discussed, please use the d/b/a of "AT&T Florida" as the mailing name for BellSouth Telecommunications, Inc. The d/b/a of "AT&T Florida" and the d/b/a of "AT&T Southeast" were both approved by FPSC Order No. PSC-07-0114-FOF-TP, but for correspondence purposes in Florida, the "AT&T Florida" d/b/a should be used.

If you have any questions, please let me know.

Thank you, Nancy Sims (850)577-5555

Director Regulatory Relations - Florida

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