

Diamond Williams

090327-TP

From: matthew.feil@akerman.com
Sent: Monday, July 26, 2010 4:42 PM
To: Filings@psc.state.fl.us
Cc: tony.mastando@deltacom.com; Fself@lawfla.com; Charles Murphy; james.mertz@hypercube-llc.com; jean.houck@deltacom.com; hazzard.michael@arentfox.com; koslofsky.jason@arentfox.com; Kevin Bloom
Subject: RE: Electronic Filing - Docket No. 090327-TP
Attachments: Notice of Deposition of J. Gregory Sidak (TL248030).PDF

Attached is an electronic filing for the docket referenced below. If you have any questions, please contact either Matt Feil or Nicki Garcia at the numbers below. Thank you.

Person Responsible for Filing:

Matthew Feil
AKERMAN SENTERFITT
 106 East College Avenue, Suite 1200
 Tallahassee, FL 32301
 (850) 425-1614 (direct)
 (850) 222-0103 (main)
 matt.feil@akerman.com

Docket No. and Name: Docket No. 090327-TP - Petition of DeltaCom, Inc. for Order Determining DeltaCom, Inc. not Liable for Access Charges of KMC Data, LLC, Hypercube, LLC and Hypercube Telecom, LLC.

Filed on behalf of: DeltaCom, Inc.

Total Number of Pages: 4

Description of Documents: DeltaCom's Notice of Deposition of J. Gregory Sidak

Nicki Garcia

Office of:
 Matthew Feil
 850-425-1614

Akerman Senterfitt
 106 East College Avenue, Suite 1200
 Tallahassee, FL 32301
 (850) 425-1677
 Nicki.Garcia@Akerman.com



www.akerman.com | Bio | V Card

CONFIDENTIALITY NOTE: The information contained in this transmission may be privileged and confidential information, and 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 copying of this communication is strictly prohibited. If you have received this transmission in error, please immediately reply to the sender that you have received this communication in error and then delete it. Thank you.

CIRCULAR 230 NOTICE: To comply with U.S. Treasury Department and IRS regulations, we are required to advise you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this transmittal, is not intended or written to be used, and cannot be used, by any person for the purpose of (i) avoiding penalties under the U.S. Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this e-mail or attachment.

6094 JUL 26 9

FPSC-COMMISSION CLERK

7/26/2010



Dallas
Denver
Fort Lauderdale
Jacksonville
Las Vegas
Los Angeles
Madison
Miami
New York
Orlando
Tallahassee
Tampa
Tysons Corner
Washington, DC
West Palm Beach

Suite 1200
106 East College Avenue
Tallahassee, FL 32301
www.akerman.com
850 224 9634 tel 850 222 0103 fax

July 26, 2010

VIA ELECTRONIC FILING

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 090327-TP - Petition of DeltaCom, Inc. for Order Determining DeltaCom, Inc. Not Liable for Access Charges of KMC Data, LLC and Hypercube Telecom, LLC

Dear Ms. Cole:

Enclosed for electronic filing in the above-referenced docket on behalf of DeltaCom, Inc., please find DeltaCom's Notice of Deposition of Mr. J. Gregory Sidak.

Your assistance in this matter is greatly appreciated. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Matthew Feil
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
Tallahassee, FL 32302-1877
Phone: (850) 224-9634

(TL248021;1)

DOCUMENT NUMBER-DATE
06094 JUL 26 09
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition of DeltaCom, Inc. for)
order determining DeltaCom, Inc.) Docket No. 090327-TP
not liable for access charges of KMC) Filed: July 26, 2010
Data LLC and Hypercube Telecom, LLC.)
_____)**

NOTICE OF DEPOSITION

Please take notice that pursuant to Florida Rule of Civil Procedure 1.310 and Rule 28-106.206, Florida Administrative Code, Petitioner DeltaCom Inc. ("Petitioner" or "DeltaCom"), will take the deposition upon oral examination of **Mr. J. Gregory Sidak** on August 3, 2010, beginning at 10:00 a.m. at the offices of Arent Fox LLP, 1050 Connecticut Ave NW, Washington, DC 20036 before a notary public or some other person authorized by law to administer oaths, for the purpose of discovery or for use as evidence in the trial of this action, or for both purposes. There will be a telephone conference bridge active during this deposition so that the Staff of the Florida Public Service Commission and counsel of record for the parties may attend the deposition telephonically. The telephonic conference bridge will be 1-888-886-7772 with a passcode of 9991014.

The witness is directed to bring copies of all documents and other materials relied upon or utilized in preparation for their testimony at deposition, in preparing any written testimony filed on behalf of the witness in this proceeding and in preparing any discovery responses in this proceeding.

Please govern yourself accordingly.

Filed and served this 26th day of July, 2010.

A handwritten signature in black ink, appearing to read "Matthew Feil", with a large, stylized flourish at the end.

Matthew Feil, Esq.
Akerman Senterfitt
106 East College Avenue, Suite 1200
Tallahassee, FL 32301
(850) 425-1614

D. Anthony Mastando, Esq.
Regulatory Vice President
DeltaCom, Inc.
7037 Old Madison Pike, Suite 400
Huntsville, AL 35806
(256) 382-5900

Attorneys for DeltaCom, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served upon the following by Electronic Mail and/or U.S. Mail this 26th day of July, 2010.

Charles Murphy, Esq. Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 cmurphy@psc.state.fl.us	Kevin Bloom Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 kbloom@psc.state.fl.us
D. Anthony Mastando, Esq. Regulatory Vice President Jean Houck DeltaCom, Inc 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806 (256) 382-5900 tony.mastando@deltacom.com jean.houck@deltacom.com	Mr. James Mertz Hypercube Telecom LLC Building 300 5300 Oakbrook Parkway Suite 330 Norcross, GA 30093-6210 james.mertz@hypercube-llc.com
Floyd R. Self, Esq. Messer, Caparello & Self, P.A. P.O. Box 15579 Tallahassee, FL 32317 (850) 425-5213 fself@lawfla.com	Michael B. Hazzard, Esq. Jason Koslofsky, Esq. Arent Fox LLP 1050 Connecticut Avenue, NW Washington, D.C. 20036-5339 (202) 857-6029 hazzard.michael@arentfox.com koslofsky.jason@arentfox.com

By: 
Matthew Feil