

Marguerite McLean100340-TP

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Sent: Thursday, July 29, 2010 3:54 PM
To: Filings@psc.state.fl.us
Cc: Adam Teitzman; Charles Murphy; Vicki Gordon Kaufman
Subject: Docket No. 100340-TP; Request for Oral Argument
Attachments: Request for OA.pdf

The verbage was omitted from filing;

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

- a. The name, address, telephone number and email for the person responsible for the filing is:

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- b. This filing is made in Docket No. 100340-TP.
- c. The document is filed on behalf of All American Telecom, Inc., American Dial Tone, Inc., Bellerud Communications, LLC, BLC Management, LLC, LifeConnex Telecom, LLC, Triarch Marketing, Inc.
- d. The total pages in the document are 3 pages.
- e. The attached document is Request for Oral Argument.

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

7/29/2010

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of Associated
Telecommunications Management
Services, LLC (ATMS) companies
For compliance with Chapter 25-
24, F.A.C., and applicable lifeline,
Eligible telecommunication carrier, and
Universal service requirements.

Docket No. 100340-TP

Filed: July 29, 2010

Request for Oral Argument

All American Telecom, Inc., American Dial Tone, Inc., Bellerud Communications, LLC, BLC Management, LLC, LifeConnex Telecom, LLC, Triarch Marketing, Inc. (the Companies), pursuant to rule 25-22.0022(1), Florida Administrative Code, hereby request Oral Argument on its Motions to Quash Subpoenas, filed on July 29, 2010. As grounds therefor, the Companies state:

1. This docket was opened on June 28, 2010. A review of the docket file shows that Staff has filed two documents since it was opened. The first is a form entitled "Request to Establish Docket" in which Commission Staff requested that this docket be opened and be styled an investigation. There is no documentation accompanying the request and, in fact, the request states that supporting documentation will "be provided with the recommendation." Thus, no reason, justification or information is provided as to why Staff requests that an investigation be instituted.

2. The second document, filed the next day, is a request that six (6) subpoenas be issued, requiring various companies to produce a vast array of documents on July 19, 2010.

3. Neither of these documents provides any information as to what the subject of the investigation is or what Commission Staff thinks may be at issue. Given the breadth of the subpoena, it is impossible to tell what Staff is attempting to investigate.

4. Today, each of the Companies has filed a separate Motion to Quash as to the subpoena directed to the particular Company.¹

5. A review of the individual subpoenas attached to each motion demonstrates that the scope of the subpoenas is very broad and raises significant issues as to the reasonableness, over breadth, and burdensomeness of the requests. Additionally, numerous requests implement federal law and the law of other states over which the Commission has no jurisdiction.

6. Oral argument will assist the Prehearing Officer (or Commission) in understanding and evaluating the issues to be decided by reviewing the vast assortment of documents sought and hearing argument on the Companies' position as to the lack of relevance and burdensomeness of the requests.

7. The Companies request 15 minutes for Oral Argument.

WHEREFORE, the Companies request Oral Argument on their Motions to Quash.

s/ Vicki Gordon Kaufman
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Attorneys for the Companies

¹ Rather, than file six (6) identical Requests for Oral Argument, the Companies have filed one request for oral argument applicable to each Motion to Quash.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Oral Argument has been furnished by electronic mail and US Mail this 29th day of July 2010 to the following:

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s/ Vicki Gordon Kaufman

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