

Marguerite McLean

090538-TP

From: Nicki Garcia [NGarcia@gunster.com]
Sent: Tuesday, November 16, 2010 3:20 PM
To: Filings@psc.state.fl.us
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Subject: Electronic Filing - Docket No. 090538-TP
Attachments: 20101116144311760.pdf

Attached is an electronic filing for the docket referenced below. If you have any questions, please contact Matt Feil at the number below. Thank you.

Person Responsible for Filing:

Matthew Feil
 Gunster Law Firm
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Docket Name and Number: Docket No. 090538-TP – Complaint of Qwest Communications Company, LLC against MCI Metro Access Transmission Services (d/b/a Verizon Access Transmission Services); XO Communications Services, Inc.; tw telecom of florida, l.p.; Granite Telecommunications, LLC; Cox Florida Telecom, L.P.; Broadwing Communications, LLC; and John Does 1 through 50 (CLEC's whose true names are currently unknown) for rate discrimination connection with the provision of intrastate switched access services in alleged of Sections 364.08 and 364.10, F.S.

Filed on Behalf of: XO Communications, Inc.

Total Number of Pages: 4

Description of Documents: Letter regarding answer and affirmative defenses

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09449 NOV 16 09

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ATTORNEYS AT LAW

Writer's Direct Dial Number: 850-521-1708
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November 16, 2010

ELECTRONIC FILING

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

Re: Docket No. 090538-TP – Complaint of Qwest Communications Company, LLC against MCI Metro Access Transmission Services (d/b/a Verizon Access Transmission Services); XO Communications Services, Inc.; tw telecom of florida, l.p.; Granite Telecommunications, LLC; Cox Florida Telecom, L.P.; Broadwing Communications, LLC; and John Does 1 through 50 (CLEC's whose true names are currently unknown) for rate discrimination connection with the provision of intrastate switched access services in alleged of Sections 364.08 and 364.10, F.S.

Dear Ms. Cole:

By Order No. No. PSC-10-0629-PCO-TP, issued October 22, 2010, in the captioned docket, the Commission gave all respondents until November 16, 2010, to file responsive pleadings, if any, to Qwest's Amended Complaint.

At this time, XO Communications, Inc. ("XO") stands by the Answer and Affirmative Defenses it filed January 29, 2010. As stated in that pleading, and as permitted by the Commission's rules and procedures, XO reserves the right to amend its pleadings and to raise additional defenses as the facts and issues are developed and to join in or adopt pleadings filed by other respondents.

If you have any questions, please contact me at 850-521-1708.

Sincerely,



Matthew J. Feil

MJF
Attachment

cc: Parties of Record

DOCUMENT NUMBER-DATE

19449 NOV 16 09

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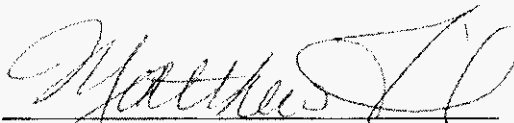
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following by email, and/or U.S. Mail this 16th day of November, 2010.

Theresa Tan Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ltan@psc.state.fl.us	Mary Smallwood GrayRobinson, P.A. 301 S. Bronough Street, Ste 600 Post Office Box 11189 Tallahassee, FL 32302 Mary.smallwood@gray-robinson.com
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BullsEye Telecom, Inc. 25900 Greenfield Road, Suite 330 Oak Park, MI 48237	D. Anthony Mastando DeltaCom, Inc. 7037 Old Madison Pike Huntsville, AL 35806 Tony.mastando@deltacom.com

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<p>Lightyear Network Solutions, LLC 1091 Eastpoint Parkway Louisville, KY 40223</p>	<p>Navigator Telecommunications, LLC Post Office Box 13860 North Little Rock, AR 72113</p>
<p>PaeTec Communications, Inc. One PaeTec Plaza 600 Willowbrook Office Park Fairport, NY 14450</p>	<p>STS Telecom, LLC Post Office Box 822270 Pembroke Pines, FL 33082</p>
<p>US LEC of florida, LLC d/b/a PaeTec Business Services 6801 Morrison Boulevard Charlotte, NC 28211</p>	<p>Ed Krachmer Windstream NuVox, Inc. Director & Regulatory Counsel Windstream Communications, Inc. 4001 Rodney Parham Rd. MS: 1170-B1F03-53A Little Rock, AR 72212 Edward.Krachmer@windstream.com</p>
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Mr. John Ivanuska XO Communications 10940 Parallel Parkway, Suite K #353 Kansas City, KS 66109 John.ivanuska@xo.com	Beth Salak Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 bsalak@psc.state.fl.us

By: 
Matthew Feil, Esq.