

Philip J. Macres  
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March 22, 2012

*Via Overnight Courier*

Ms. Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 323399-0850

claim of confidentiality  
 notice of intent  
 request for confidentiality  
 filed by OPC

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**Re: Docket No. 090538-TP – Complaint of Qwest Communications Company, LLC - Claim of Confidentiality**

Dear Ms. Cole:

US LEC of Florida d/b/a US LEC Business Services (“US LEC”) files the following documents in the above-referenced docket:

- Confidential Attachment A (Supplement to Qwest’s Document Request to US LEC No. 2(a)): A sealed envelope marked “CONFIDENTIAL,” containing a copy of the following documents:
  - Switched Access Service Purchase Agreement with AT&T (effective May 1, 1998);
  - 1999 Amendment to Switched Access Service Purchase Agreement with AT&T (effective October 1, 1999);
  - Switched Access Service Agreement with AT&T (effective March 14, 2002);
  - Settlement and Switched Access Service Rate Agreement with Sprint (effective October 5, 2001) that was amended in 2002 (effective April 10, 2002);
  - Settlement Agreement and General Release with Sprint (effective February 16, 2006);
  - Access Service Agreement with Sprint (effective February 16, 2006);
  - Settlement Agreement with MCI (dated February 17, 2006);
  - Wholesale Services Agreement with Qwest (dated August 4, 2006);
  - Intrastate Wireless-Originated 8YY Services Settlement Agreement with Qwest (dated August 4, 2006); and
  - Release and Settlement Agreement with Qwest (dated August 4, 2006).
- Public Attachment A (Supplement to Qwest’s Document Request to US LEC No. 2(a)): A page that lists the documents provided in Confidential Attachment A is attached to the public version of this filing.

Confidential Attachment A is also being provided to Qwest pursuant to a Stipulated Confidentiality and Protective Agreement between the parties.

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**PUBLIC**

Pursuant to Section 364.183(1), Florida Statutes, US LEC claims that the contents of Confidential Attachment A are confidential and proprietary business information of US LEC that should be kept confidential and exempt from public disclosure. This Notice requires that the information be treated as confidential while on file at the Florida Public Service Commission and further that the information be returned as required by Section 364.183(1).

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me. Thank you for your assistance with this filing and please do not hesitate to contact me if you have any questions.

Respectfully Submitted,

/s/ Philip J. Macres

Eric J. Branfman, Esq. (not admitted in Florida)  
Philip J. Macres, Esq., Fla. Bar No. 137900

*Counsel for US LEC of Florida d/b/a US LEC Business Services*

Enclosures

cc: Parties of Record per attached Certificate of Service

**PUBLIC ATTACHMENT A**

**(Supplement to Qwest's Document Request to US LEC No. 2(a))**

The documents listed in the attached letter are deemed confidential by US LEC and are hereby redacted in their entirety. For the convenience of Commission staff and parties to the proceeding, the Bates number references for these documents are provided below.

- USLEC-0000035-0000061: Switched Access Service Purchase Agreement with AT&T (effective May 1, 1998)
- USLEC-0000062-0000069: 1999 Amendment to Switched Access Service Purchase Agreement with AT&T (effective October 1, 1999)
- USLEC-0000070-0000075: Switched Access Service Agreement with AT&T (effective March 14, 2002)
- USLEC-0000076-0000094: Settlement and Switched Access Service Rate Agreement with Sprint (effective October 5, 2001) that was amended in 2002 (effective April 10, 2002)
- USLEC-0000095-0000105: Settlement Agreement and General Release with Sprint (effective February 16, 2006)
- USLEC-0000106-0000114: Access Service Agreement with Sprint (effective February 16, 2006)
- USLEC-0000115-0000135: Settlement Agreement with MCI (dated February 17, 2006)
- USLEC-0000136-0000146: Wholesale Services Agreement with Qwest (dated August 4, 2006)
- USLEC-0000147-0000155: Intrastate Wireless-Originated 8YY Services Settlement Agreement with Qwest (dated August 4, 2006)
- USLEC-0000156-0000165: Release and Settlement Agreement with Qwest (dated August 4, 2006)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of a PUBLIC version of this filing has been served upon the following by email, and/or U.S. Mail this 22nd day of March, 2012. A CONFIDENTIAL version of this filing is also being served on the individual from Qwest Communications Company, LLC marked with an asterisk (\*) below by overnight courier.

<p>Lee Eng Tan  Florida Public Service Commission  2540 Shumard Oak Boulevard  Tallahassee, FL 32399-0850  ltan@psc.state.fl.us</p>	<p>Matthew J. Feil  Gunster, Yoakley &amp; Stewart, P.A.  215 S. Monroe Street, Suite 601  Tallahassee, Florida 32301  mfeil@gunster.com</p>
<p>Mr. Chris Bunce  Birch Communications, Inc.  2300 Main Street, Suite 600  Kansas City, MO 64108-2415  Chris.bunce@birch.com</p>	<p>Mr. Greg Diamond  Broadwing Communications, Inc.  c/o Level 3 Communications  1025 Eldorado Boulevard  Broomfield, CO 80021-8869  Greg.Diamond@level3.com</p>
<p>Budget PrePay, Inc. 1325 Barksdale  Boulevard  Suite 200  Bossier City, LA 71111-4600</p>	<p>Mr. David Bailey  BullsEye Telecom, Inc.  25925 Telegraph Road, Suite 210  Southfield, MI 48033-2527  dbailey@bullseyetelecom.com</p>
<p>Jane Whang  Davis Wright Tremaine LLP  505 Montgomery Street, Suite 800  San Francisco, CA 94111  janewhang@dwt.com</p>	<p>Paula Foley  EarthLink Business  5 Wall Street  Burlington, MA 01803  pfoley@corp.earthlink.com</p>
<p>Ernest Communications, Inc.  5275 Triangle Parkway, Suite 150  Norcross, GA 30092-6511  lhaag@ernestgroup.com</p>	<p>Flatel, Inc.  c/o Adriana Solar  Executive Center, Suite 100  2300 Palm Beach Lakes Blvd.  West Palm Beach, FL 33409-3307  asolar@flatel.net</p>
<p>Granite Telecommunications, LLC  100 Newport Avenue Extension  Quincy, MA 02171-1734  rcurrier@granitenet.com</p>	<p>Andrew M. Klein/Allen C. Zoracki  Klein Law Group  1250 Connecticut Ave. NW, Suite 200  Washington, DC 20036  AKlein@kleinlawPLLC.com  azoracki@kleinlawpllc.com</p>

**PUBLIC**

<p>John Greive  Lightyear Network Solutions, LLC  1901 Eastpoint Parkway  Louisville, KY 40223-4145  john.greive@lightyear.net</p>	<p>Michael McAlister  Navigator Telecommunications, LLC  P.O. Box 13860  North Little Rock, AR 72113-0860  mike@navtel.com</p>
<p>Mr. John Ivanuska  XO Communications Services, Inc.  10940 Parallel Parkway, Suite K - #353  Kansas City, KS 66109-4515  john.ivanuska@xo.com  Kris.Shulman@xo.com</p>	<p>Richard Brown  Access Point, Inc.  1100 Crescent Green, Suite 109  Cary, NC 27511  Richard.brown@accesspointinc.com</p>
<p>Adam L. Sherr (*)  Qwest Communications Company, LLC  1600 7th Avenue, Room 1506  Seattle, WA 98191  Adam.Sherr@qwest.com  <b>(CONFIDENTIAL VERSION ALSO  PROVIDED BY OVERNIGHT  COURIER)</b></p>	<p>Marsha Rule  Rutledge Law Firm  Post Office Box 551  Tallahassee, FL 32302  marsha@reuphlaw.com</p>
<p>Susan S. Masterton  CenturyLink  315 S. Calhoun Street, Suite 500  Tallahassee, FL 32301  Susan.masterton@centurylink.com</p>	<p>Ms. Carolyn Ridley  tw telecom of florida l.p.  2078 Quail Run Drive  Bowling Green, KY 42104  Carolyn.Ridley@twtelecom.com</p>
<p>Alan C. Gold, P.A.  1501 Sunset Drive, 2<sup>nd</sup> Floor  Coral Gables, FL 33143  acgold@acgoldlaw.com</p>	<p>Ms. Rebecca A. Edmonston  Verizon Access Transmission Services  106 East College Avenue, Suite 710  Tallahassee, FL 32301-7721  Rebecca.edmonston@verizon</p>
<p>Brenda Merritt  Division of Regulatory Analysis  Florida Public Service Commission  2540 Shumard Oak Boulevard  Tallahassee, FL 32399  bmerritt@psc.state.fl.us</p>	<p>Ed Krachmer  PAETEC Communications, Inc.; US LEC  of Florida, LLC d/b/a PAETEC Business  Services and Windstream NuVox, Inc.  4001 Rodney Parham Road  MS: 1170-B1F03-53A  Little Rock, AR 72212  Edward.Krachmer@windstream.com</p>

<p>Dulaney L. O'Roark III Verizon Florida LLC Six Concourse Parkway, NE, Suite 800 Atlanta, GA 30328 de.oroark@verizon.com</p>	<p>Ms. Bettye Willis PAETEC Communications, Inc.; US LEC of Florida, LLC d/b/a PAETEC Business Services and Windstream NuVox, Inc. 13560 Morris Rd., Suite 2500 Milton, GA 30004 Bettye.j.willis@windstream.com</p>
	<p>Howard Adams Pennington Law Firm P.O. Box 10095 Tallahassee, FL 32302 gene@penningtonlaw.com</p>

By:           /s/ Kimberly A. Lacey            
          Kimberly A. Lacey