

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Applications for qualified representative status.

DOCKET NO. 050008-OT  
ORDER NO. PSC-05-0384-FOF-OT  
ISSUED: April 12, 2005

ORDER AUTHORIZING QUALIFIED REPRESENTATIVE STATUS

On March 7, 2005, Norman H. Horton, Jr., Esquire, with the law firm Messer, Caparello, & Self, P.A. filed on behalf of NewSouth Communications Corp., Nuvox Communications, Inc., KMC Telecom V., Inc., KMC Telecom III LLC, Xspedius Communications LLC, Xspedius Management Co. Switched Services, LLC, and Xspedius Management Company of Jacksonville, LLC, (hereafter Nuvox/NewSouth/KMC) three written requests pursuant to Rule 28-106.106, Florida Administrative Code, for the following individuals to appear as Qualified Representatives for Nuvox/NewSouth/KMC in all docketed and undocketed matters before this Commission opened during the next twelve months:

John J. Heitmann	Kelley, Drye & Warren, LLC	1200 19 <sup>th</sup> St. NW, Suite 500, Washington, DC 20036
Stephanie A. Joyce	Kelley, Drye & Warren, LLC	1200 19 <sup>th</sup> St. NW, Suite 500, Washington, DC 2003
Garrett R. Hargrave	Kelley, Drye & Warren, LLC	1200 19 <sup>th</sup> St. NW, Suite 500, Washington, DC 2003

After reviewing the request, it appears that the individuals identified above have the necessary qualifications to responsibly represent Nuvox/NewSouth/KMC's interests in a manner which will not impair the fairness of any proceeding involving the companies or the correctness of the action to be taken. Having met the requirements of Rule 28-106.106(4), Florida Administrative Code, Mr. Heitmann, Ms. Joyce, and Mr. Hargrave are hereby authorized to appear as Qualified Representatives on behalf of Nuvox/NewSouth/KMC in any undocketed or docketed matter opened during the period ending January 31, 2006.

Based on the foregoing, it is

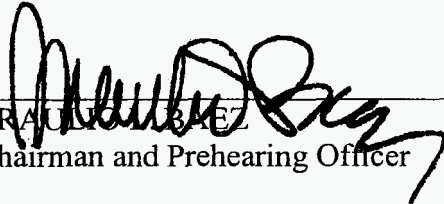
ORDERED by Chairman Braulio Baez, as Presiding Officer, that John J. Heitmann, Esquire, Stephanie A. Joyce, Esquire, and Garrett R. Hargrave, Esquire, are hereby authorized to appear as Qualified Representatives on behalf of NewSouth Communications Corp., Nuvox Communications, Inc., KMC Telecom V., Inc., KMC Telecom III LLC, Xspedius Communications LLC, Xspedius Management Co. Switched Services, LLC, and Xspedius Management Company of Jacksonville, LLC, for any undocketed or docketed matter opened during the period ending January 31, 2006.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of Chairman Braulio L. Baez, as Prehearing Officer, this 12th day of April, 2005.

  
BRAULIO BAEZ  
Chairman and Prehearing Officer

( S E A L )

BK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.