



# Public Service Commission

**DATE:** January 28, 2000  
**TO:** Mary Bane, Deputy Executive Director  
**FROM:** B. Keating, Division of Legal Services *msd*  
 Kelly Biegalski, Division of Telecommunications *RNT*  
**RE:** Deferral of Item No. 12 from the February 1, 2000, Agenda Conference

On January 28, 2000, staff received a request for deferral of Item No. 12, Docket No. 000036-TI, from USLD Communications, Inc. USLD stated that the person primarily responsible for handling staff's inquiry is no longer with the company and they would like additional time to review the allegations in staff's recommendation. In view of USLD's request for additional time, staff supports the request for deferral.

cc: Division of Legal Services  
 Division of Telecommunications

*Recommend Approval  
 MAB*

AAFM \_\_\_\_\_  
 AGPP \_\_\_\_\_  
 CAIF \_\_\_\_\_  
 CIVIL \_\_\_\_\_  
 CTR \_\_\_\_\_  
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 SEC   1    
 WAW \_\_\_\_\_  
 OTH \_\_\_\_\_

*OK  
 OK - JCB for Chairman  
 1-29-00!*

JAN 28 0

DEPUTY EXECUTIVE DIRECTOR

DOCUMENT NUMBER-DATE

01328 JAN 31 8

FPSC-RECORDS/REPORTING

State of Florida  
-M-E-M-O-R-A-N-D-U-M-



# Public Service Commission

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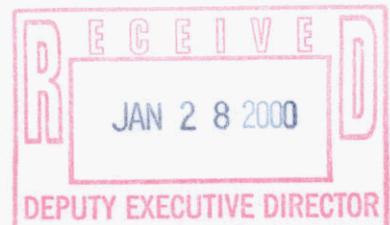
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MAB*

01328-00



# MCWHIRTER REEVES

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January 28, 2000

VIA HAND-DELIVERY

Ms. Kelly Biegalski  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Re: Docket No. 00036-TI

Dear Kelly:

In the above docket, Staff has recommended that the Commission issue an order requiring USLD Communications, Inc. ("USLD") to show cause why it should not be fined \$10,000 for an alleged violation of Rule 25-4.043, Florida Administrative Code. The recommendation is scheduled to be considered during the conference scheduled for February 1, 2000.

USLD respectfully requests that this item be deferred from the conference of February 1, 2000. Upon review of certain correspondence in USLD's files and of the content of the recommendation, it appears some miscommunication may have occurred between Staff and USLD regarding USLD's past efforts to be responsive, the resolution of which may bear on the substance of the recommendation. In addition, the person who had knowledge of and responsibility for handling the Staff's inquiry is no longer with the company; a deferral would provide USLD with needed time to ascertain all of the relevant facts. In the meantime, USLD has authorized me to assure Staff that it will cooperate fully to answer any remaining questions by providing any relevant information within its possession within 30 days of this letter - with the

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understanding that in the event it is determined that actual data does not exist for some matters, reasonable estimates may be required.

Thank you for your consideration. Please contact me if you have any questions.

Yours truly,



Joseph A. McGlothlin

JAM/jk

cc: William Shanahan  
Beth Keating