



December 13, 2001

Ms. Blanca Bayó, Director
Division of the Commission Clerk
& Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 000075 – Investigation into Appropriate Methods to Compensate Carriers for Exchange of Traffic subject to Section 251 of the Telecommunications Act of 1996

Dear Ms. Bayó,

Please find enclosed for filing in the above docket an original and seven (7) copies of Florida Digital Network, Inc.'s Petition to Intervene. Also enclosed is a diskette containing a Word file of this pleading.

If you have any questions regarding the enclosed, please call me at 407-835-0460.

Sincerely,

A handwritten signature in black ink that reads "Matthew Feil".

Matthew Feil
Florida Digital Network
General Counsel

LOCAL

LONG DISTANCE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into Appropriate)
Methods to Compensate Carriers) Docket No. 000075-TP
for Exchange of Traffic Subject to)
Section 251 of the Telecommun-)
ications Act of 1996)
_____)

PETITION TO INTERVENE
OF
FLORIDA DIGITAL NETWORK, INC.

Pursuant to Rules 25-22.039 and 28-106.201(2), Florida Administration Code, Florida Digital Network, Inc. (“Florida Digital”) files this Petition to Intervene with the Florida Public Service Commission (“Commission”) in the above-referenced docket. In support hereof, Florida Digital states as follows:

1. Petitioner’s full name and principal place of business are:

Florida Digital Network, Inc.
390 North Orange Ave
Suite 2000
Orlando, FL 32801

2. All pleadings, orders, notices and other correspondence with respect to this docket should be addressed to:

Matthew Feil
Florida Digital Network, Inc.
390 North Orange Avenue
Suite 2000
Orlando, FL 32801
(407) 835-0460
mfeil@floridadigital.net

3. Florida Digital is a duly certified alternative local exchange telecommunications carrier (“ALEC”) and interexchange carrier (“IXC”) in Florida. As

such, Florida Digital is subject to the rules, regulations and orders of the Commission, and such rules, regulations and orders impact Florida Digital's ability to provide local exchange telecommunications service and interexchange telecommunications service in the state of Florida.

4. By a December 5, 2001, vote in Phase II of the captioned proceeding, the Commission deferred ruling on Issues Nos. 13 and 17, deciding instead to hold additional hearings regarding said issues. According to Order No. PSC-01-1362-PHO-TP, issued June 22, 2001 (the "Prehearing Order"), Issues Nos. 13 and 17 are as follows:

Issue 13: How should a "local calling area" be defined for purposes of determining the applicability of reciprocal compensation?

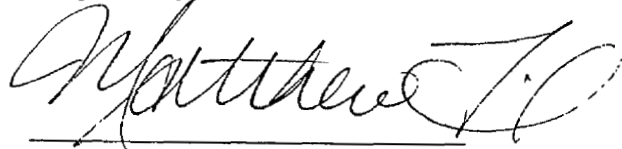
Issue 17: Should the Commission establish compensation mechanisms governing the transport and delivery or termination of traffic subject to Section 251 of the Act to be used in the absence of the parties reaching an agreement or negotiating a compensation mechanism? If so, what should be the mechanism?

5. As an ALEC in Florida interconnected with and exchanging local and other traffic with incumbent local exchange carriers (ILECs) in Florida, FDN will be substantially affected by the Commission's disposition of the above two issues.

6. FDN's intervention is intended to pertain to matters to be heard and decided in this proceeding and not to matters already heard and decided.

WHEREFORE, Florida Digital requests that the Commission issue an order permitting Florida Digital to intervene in this proceeding and affording Florida Digital party status consistent herewith and its rules.

Respectfully submitted this 13th of December 2001.

A handwritten signature in black ink, appearing to read "Matthew Feil". The signature is written in a cursive style with a horizontal line underneath it.

Matthew Feil
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by U.S. Mail this 13 day of December, 2001.

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