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December 14, 2001

Blanca Bayo
Division of Commission Clerk
& Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 3399-0870

Re: Docket No. 011458-TX – IDS Telcom, LLC.

Dear Ms. Bayo:

Pursuant to this Commission's currently scheduled Conference Agenda in the above captioned Docket and Staff's recommendation therein, kindly allow this letter to serve as a formal protest regarding the recommendation to fine IDS Telcom \$5,000 or cancel its certificate for failure to provide the Commission access to information pursuant to Section 364.183(1) Florida Statutes (Access to Company Records).

In support thereof IDS states that its apparent failure to provide this Commission with Company Information regarding the 2001 ALEC Data Request was a result of unintentional inadvertence and was in no way intended to impede this Commission's efforts to compile said information. Upon becoming aware that there was a docket open on this matter with a scheduled conference agenda, undersigned immediately investigated all pending matters with this Commission and discovered that the requested information was in fact being compiled using the 2000 data request form. The Commissions notice sent via Certified Mail have not been located.

Undersigned reviewed the docket filings and initiated a conference call with Ms. Angela Fonda and Melinda Watts (OPR Staff) on Tuesday December 11, 2001. By way of explanation, it is IDS' position that during the months of July, August and September, IDS was ensconced in an expedited docket before this Commission (Docket No. 01-010740-TP). As such, the already taxed resources of the Regulatory Affairs Department, whose responsibility it is to oversee the timely filing of compliance related issues on behalf of IDS, caused this matter to be mishandled and overlooked altogether.

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 - SEC I
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 - OTH _____
- _____ IDS has since added additional personnel to cover compliance reporting matters on a timely and comprehensive basis and this kind of inadvertence should be altogether eliminated for future filings before this Commission.
- _____ IDS is aware that Staff is considering a withdrawal of the fine amount of \$5,000. IDS supports Staff in this regard and respectfully states that this amount is highly prejudicial

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particularly based on the circumstances as well as the fact IDS did participate in this same request in 2000 and there was simply no intent on the part of IDS to delay or otherwise impede the Commission's efforts in this regard.

However, IDS cannot discount the fact that it failed to provide the requested information and although it is ready, willing and able to do so now, IDS understands that the data has already been submitted in this Commission's report to the Legislature and thus the matter is moot in that regard.

IDS respectfully requests that this Commission accept an offer of settlement in the amount of \$200.00 as adequate remedy against IDS for failure to timely file the 2001 ALEC Data Request in apparent violation of 364.183(1) Florida Statute and forego any other penalty that may be levied against IDS including but not limited to placing its certificate in jeopardy status.

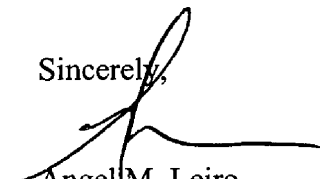
If the above settlement proposal is acceptable to this Commission kindly notify the undersigned and payment will be made as directed.

IDS looks forward to participating in any and all future Commission activities particularly as they relate to the status of competition in the telecommunications industry.

I sincerely apologize for any inconvenience this matter may have caused this Commission.

Thank you for your consideration in this regard.

Sincerely,



Angel M. Leiro
V-P Regulatory Affairs

CC: Joseph Millstone, CEO