

ORIGINAL

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PLEASE REPLY TO:  
  
TALLAHASSEE

TALLAHASSEE OFFICE:  
117 SOUTH GADSDEN  
TALLAHASSEE, FLORIDA 32301  
(850) 222-2525  
(850) 222-5606 FAX

October 11, 2002

VIA HAND DELIVERY

Blanca S. Bayo, Director  
Division of Records and Reporting  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0870

RECEIVED-FPSC  
OCT 11 PM 3:52  
COMMISSION  
CLERK

Re: Docket No.: 020868-TL

Dear Ms. Bayo:

On behalf of Nextel Communications, Inc. (Nextel), enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Request for Representation by a Qualified Representative.

AUS \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMP \_\_\_\_\_  
 COM \_\_\_\_\_  
 CTR \_\_\_\_\_  
 ECR \_\_\_\_\_  
 GCL \_\_\_\_\_  
 OPC \_\_\_\_\_  
 MMS \_\_\_\_\_  
 SEC \_\_\_\_\_  
 OTH \_\_\_\_\_

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

*Vicki Gordon Kaufman*  
Vicki Gordon Kaufman

VGK/bae  
Enclosure

RECEIVED & FILED  
*R-V.N.*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER 02-0868-TL

MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN & ATENOLD, P.A.

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition by BellSouth Telecommunications, Inc.  
for investigation of wireless carriers'  
request for BellSouth to provide  
telecommunications service outside  
BellSouth's exchange.

Docket No. 020868-TL

Filed: October 11, 2002

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**REQUEST FOR REPRESENTATION BY A QUALIFIED REPRESENTATIVE**

Nextel Communications, Inc. (Nextel), through its undersigned counsel, submits its Request for Representation by a Qualified Representative pursuant to Rule 28-106.106, Florida Administrative Code, in the above-referenced proceeding, and states as follows:

1. Nextel is a certified Commercial Mobile Radio Service (CMRS) provider and provides service in the State of Florida. Nextel is located at 2001 Edmund Halley Drive, Room No. A 4017B, Reston, Virginia 20191.
2. Any pleading, motion, notice, order or other document required to be served upon the petitioner or filed by any party relative to this Request for Representation should be served upon the following individual:

Vicki Gordon Kaufman  
McWhirter Reeves McGlothlin Davidson  
Decker Kaufman & Arnold, P.A.  
117 South Gadsden  
Tallahassee, Florida 32301  
(850) 222-2525 (telephone)  
(850) 222-5606 (fax)

3. This petition is filed pursuant to Rule 28-106.106, Florida Administrative Code. Rule 28-106.106(2)(a) requires that Nextel submit a written request to the presiding officer in the event that Nextel elects to be represented before the Commission by a qualified representative. Nextel hereby submits such a request.

4. Nextel seeks leave of the presiding officer for the individual identified below to appear as a qualified representative on behalf of Nextel for any purpose and in all matters or proceedings conducted before the Commission in connection with Docket No. 020415-TL.

Laura S. Gallagher  
Drinker Biddle & Reath LLP  
1500 K Street, Suite 1100  
Washington, DC 20005-1209  
202-354-1325 (telephone)  
202-842-8465 (fax)  
laura.gallagher@dbr.com

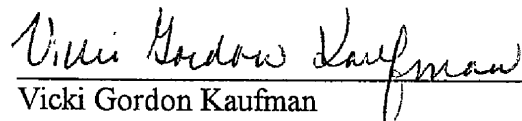
5. Consistent with Rule 25-106.106(2)(b), Nextel hereby affirms that it is aware of the services Ms. Gallagher can provide and, further, that Nextel can elect to be represented solely by “counsel,” as that term is defined by Rule 28-106.106(1). Indeed, Nextel has elected to be represented in this matter by other attorneys in addition to Ms. Gallagher.

6. Nextel submits that Ms. Gallagher possesses the necessary qualifications to responsibly represent Nextel’s interests in this matter. In this regard, Ms. Gallagher’s qualifications are set forth in the attached affidavit.

7. As reflected in Ms. Gallagher’s affidavit, she: (i) is an attorney admitted to practice in the District of Columbia and the State of Maryland; (ii) has reviewed those portions of the Florida Statutes relative to the Commission’s jurisdiction, (iii) has reviewed the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; and (iv) has reviewed those portions of the Florida Administrative Code and Florida Statutes related to the rules of evidence, including the concept of hearsay in an administrative proceeding.

8. Consistent with the standard set forth in Rule 28-106.107, Ms. Gallagher has acquired or will acquire actual knowledge of the factual and legal issues involved insofar as his representation of Nextel is concerned in the above-referenced proceeding.

**WHEREFORE**, for the above and foregoing reasons, Nextel requests that Ms. Gallagher be permitted to appear as a qualified representative on behalf of Nextel.



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Vicki Gordon Kaufman  
McWhirter Reeves McGlothlin Davidson  
Decker Kaufman & Arnold, P.A.  
117 South Gadsden Street  
Tallahassee, Florida 32301  
Telephone: (850) 222-2525  
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Attorneys for Nextel Communications, Inc.

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition by BellSouth Telecommunications, Inc.  
for investigation of wireless carriers'  
request for BellSouth to provide  
service outside BellSouth's exchange.

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Docket No. 020868-TL  
Filed: October 11, 2002

**AFFIDAVIT OF LAURA S. GALLAGHER**

DISTRICT OF COLUMBIA)

I, Laura S. Gallagher, being first duly sworn, do hereby depose and state as follows:


1. I am an associate with the law firm of Drinker Biddle & Reath, LLP, 1500 K Street NW, Suite 1100, Washington, DC 20005-1209

2. I am a member in good standing of the District of Columbia Bar and the Maryland Bar and am seeking to be designated as a qualified representative in the above-captioned docket pursuant to Rule 28-106.106, Florida Administrative Code.

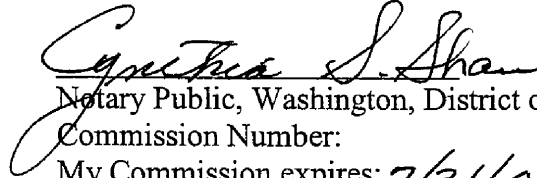
3. I have served as regulatory counsel to Nextel Communications, Inc. in proceedings before state commissions. Moreover, I have assisted other attorneys in proceedings before other state commissions that have involved the examination and resolution of factual and legal issues similar to those under consideration in the above-captioned docket.

4. I am familiar with the relevant portions of the Florida Statutes, the Florida Rules of Civil Procedure, the Florida Administrative Code, and the Florida Rules of Evidence.

I declare that the foregoing is true and correct based on my knowledge, information, and belief.

  
LAURA S. GALLAGHER

**SWORN TO AND SUBSCRIBED** before me this 10<sup>th</sup> day of October, 2002 by  
Laura Gallagher, who () is personally known to me; or (  ) who has presented  
\_\_\_\_\_ as identification.

  
Notary Public, Washington, District of Columbia  
Commission Number:  
My Commission expires: 7/31/07

## CERTIFICATE OF SERVICE

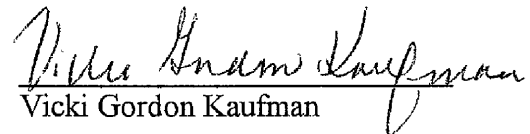
I **HEREBY CERTIFY** that a true and correct copy of Nextel's Request for Representation by a Qualified Representative has been furnished by (\*) hand delivery or U. S. Mail this 11<sup>th</sup> day of October, 2002 to the following:

(\*) Adam Teitzman  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Nancy White  
James Meza  
BellSouth Telecommunications, Inc.  
c/o Nancy H. Sims  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301-1556

Susan Masterton  
Sprint  
Post Office Box 2214  
Mail Stop: FLTLH00107  
Tallahassee, Florida 32316-2214

Monica Barone  
Sprint  
6391 Sprint Parkway  
Mail Stop: KSOPHT0101-Z2060  
Overland Park, Kansas 66251

  
Vicki Gordon Kaufman