

**REQUEST FOR CHANGE TO AGENDA CONFERENCE
HAND DELIVER**

Date of Request: 11/20/2002 Date of Agenda Conference: 12/02/2002 Item No. _____

Docket No.: 021117-TP Brief Title: 021117-TP - Application for expedited treatment of transfer of control of XO Long Distance Services, Inc. (holder of IXC Certificate No. 7290), and XO Florida, inc. (holder of IXC Certificate No. 3505 and ALEC Certificate No. 5648) to a reorganized XO Communications, inc. controlled by High River Limited Partnership.

Requested by: Staff Other Joseph McGlothlin / McWhirter Reeves. Attorneys at Law (Name)

Please attach a copy of the written documentation filed (if other)

STAFF's Recommendation to Executive Suite (IF OTHER)

Approve Request

Deny Request

ACTION REQUESTED [see APM 2.11 and SOP 1607]

Defer Item to Agenda Scheduled Date: _____

Change Order of Item or Take Up at Time Certain

Withdraw Item

Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) **A copy of the front page of the recommendation must be provided to CCA by 12 noon on the regular filing date for use as a place-holder during agenda preparation.**

Add Item to Published Agenda [see Section 120.525(2), F.S.] - Issue an ADDENDUM and give Legal NOTICE

Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] - Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

XO Communications, Inc. filed a request for application for expedited treatment of transfer of control of XO Long Distance Services, Inc. Staff had set the initial CASR dates for filing for December 5, 2002 with the Agenda date on December 17, 2002. Staff received a calls from Julie Kauffman and Joseph McGlothlin on November 20, 2002 requesting the dockets (#020251-TP and 021117-TP) be put on the next upcoming Agenda, although the deadline for filing recommendations had passed. Copies of explanations for the expedited requests are attached.

Signature (OPR Staff): Brenda D. Hawkins Initials (OPR Division Director or Designee): BH

Signature (Legal Staff): Wayne D. King Initials (Legal Division Director or Designee): WK

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Approve Request

Deny Request

Initials: MAB

Date: 11/21/02

Comments:

CHAIRMAN's OFFICE:

Approve Request

Deny Request

Initials: [Signature]

Date: 11/21/02

ADD
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PSC/EXD-1 (03/02)

NOV 21 PM 1:40
COMMISSION CLERK

DOCUMENT NUMBER DATE

12817 NOV 21 02

FPSC-COMMISSION CLERK

MCWHIRTER REEVES

ATTORNEYS AT LAW

TAMPA OFFICE
400 NORTH TAMPA STREET, SUITE 2450
TAMPA, FLORIDA 33602-5126
P.O. BOX 3350, TAMPA, FL 33601-3350
(813) 224-0866 (813) 221-1854 FAX

PLEASE REPLY TO:
TALLAHASSEE

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

November 20, 2002

Ms Jacquelyn Gilchrist
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0850

Re: Docket No. 021117-Application for Expedited Treatment of Transfer Of Control of XO Long Distance Services, Inc.(holder of IXC Certificate No. 7290) and OX Florida, Inc. (holder of IXC Certificate No. 3505 and ALEC Certificate No. 5648) to a Reorganized XO Communications, Inc., Controlled By High River Limited Partnership

Dear Ms. Gilchrist:

The above docket involves the planned restructuring of XO Long Distance Services, Inc. and XO Florida, Inc. The matter is presently scheduled to be taken up by the Commission during its scheduled conference of December 17, 2002.

As I explained to you and Mr. Knight by telephone, the terms and milestones of the restructuring arrangements contemplate that the decision of the Commission would be received and would become effective before the end of the calendar year. Because the decision would take the form of an Order on Proposed Agency Action, which involves a 21-day protest period, a vote on December 17, 2002 would not enable the parties to adhere to the terms of the restructuring. For that reason, we ask your consideration, and that of the Commission, in rescheduling the matter for the Agenda Conference scheduled for December 2, 2002. If the Commission votes on December 2, and the PAA Order is issued shortly thereafter, the 21-day protest period will expire (assuming no protest is filed), and the Commission's Order will become effective, prior to the end of the calendar year.

At Staff's request, we are arranging for a more detailed explanation of the schedule for the restructuring transaction to follow this letter.

We realize this request is made on short notice, and appreciate your consideration.

Please contact me if you have any questions.

Yours truly,

A handwritten signature in black ink that reads "Joe A. McGlothlin". The signature is written in a cursive style with a large initial "J" and "M".

Joseph A. McGlothlin

JAM/mls

cc: Blanca Bayo
Wayne Knight
Brenda Hawkins
Dana Shaffer