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ORIGINAL

Matthew J. Plache  
mjp@catalanoplache.com

July 16, 2003

**VIA FEDERAL EXPRESS**

Ms. Blanca S. Bayo  
Director, Division of Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd  
Tallahassee, Florida 32399-0850

RECEIVED  
COMMISSION  
CLERK  
JUL 16 PM 12:33

Re: *Docket No. 030346-TP*  
*Petition for Declaratory Statement*  
*Concerning Jurisdiction for Competitive Eligible*  
*Telecommunications Carrier Status*

Dear Ms. Bayo:

On behalf of NPCR, Inc. d/b/a Nextel Partners ("Nextel Partners"), transmitted herewith for filing with the Florida Public Service Commission are 15 copies of a Request for Representation by Qualified Representative. True and complete photocopies of this filing have been made to individuals on the attached Certificate of Service.

I have attached a stamp-received copy for return to me in the enclosed pre-paid, self-addressed, Federal Express envelope. If there are any questions, please contact me directly.

Very truly yours,

Matthew J. Plache  
Counsel for Nextel Partners

RECEIVED & FILED

16  
FPSC-BUREAU OF RECORDS

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
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Hong  
Done  
07/17/03  
kmp (signature)

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**Before the  
FLORIDA PUBLIC SERVICE COMMISSION  
Tallahassee, FL 32399**

In the Matter of	)	
	)	Docket No. 030346-TP
<b>NPCR, INC. d/b/a NEXTEL PARTNERS</b>	)	
	)	Filed: July 16, 2003
Petition for Declaratory Statement That	)	
NPCR, Inc. d/b/a Nextel Partners, a Commercial	)	
Mobile Radio Service Provider in Florida, is Not	)	
Subject to the Jurisdiction of the Florida Public	)	
Service Commission for Purposes of Designation	)	
<u>As an Eligible Telecommunications Carrier</u>	)	

**NPCR, INC. d/b/a NEXTEL PARTNERS'  
REQUEST FOR REPRESENTATION BY QUALIFIED REPRESENTATIVE**

NPCR, Inc. d/b/a Nextel Partners (“Nextel Partners”), by and through its undersigned counsel, hereby submits its Request for Representation by Qualified Representative pursuant to Rule 28-106.106, Florida Administrative Code, in the above-captioned proceeding, and to this end states as follows:

1. NPCR, Inc. d/b/a Nextel Partners is a Commercial Mobile Radio Service (“CMRS”) provider doing business in the State of Florida with principal offices located at 4500 Carillon Point, Kirkland, WA 98033.

2. Any pleading, motion, notice, order, letter or any other document of any kind required to be served upon Nextel Partners or filed by any party pursuant to this Request should be served on the following person:

Ronald J. Jarvis  
Catalano & Plache, PLLC  
3221 M Street NW  
Washington, DC 20007  
(202) 338-3200 voice  
(202) 338-1700 facsimile  
[rjj@catalanoplache.com](mailto:rjj@catalanoplache.com)

3. This Request is filed pursuant to Rule 28-106.106, Florida Administrative Code. 28-106.106(2) requires that Nextel Partners submit a written request to the presiding officer in

the event that Nextel Partners elects to be represented before the Commission by a qualified representative.

4. In accordance with Rule 28-106.106(2), Nextel Partners hereby requests that the following individual appear as qualified representative on behalf of Nextel Partners for any purpose and in all matters or proceedings conducted before the Commission in connection with Docket No. 030346-TP:

Ronald J. Jarvis  
Catalano & Plache, PLLC  
3221 M Street NW  
Washington, DC 20007  
(202) 338-3200 voice  
(202) 338-1700 facsimile  
[rjj@catalanoplache.com](mailto:rjj@catalanoplache.com)

5. Nextel Partners affirms that it is aware of the services Mr. Jarvis can provide and, further, that Nextel Partners can elect to be represented solely by “counsel,” as that term is defined by Rule 28-106.106(1).

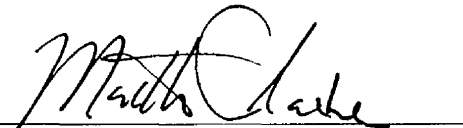
6. Nextel Partners submits that Mr. Jarvis possesses the necessary qualifications to represent Nextel Partners’ interests responsibly in the above-captioned matter. Mr. Jarvis’ qualifications are set forth in the attached affidavit.

7. Mr. Jarvis’ affidavit demonstrates that (i) he is an attorney admitted to practice in the District of Columbia; (ii) he has reviewed those portions of the Florida Statutes pertaining to the Commission’s jurisdiction; (iii) he has reviewed the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; and (iv) he 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. Mr. Jarvis has acquired actual knowledge of the factual and legal issues involved with the representation of Nextel Partners in the above-captioned matter.

WHEREFORE, Nextel Partners hereby requests that Mr. Jarvis be permitted to appear before the Commission as a qualified representative on behalf of Nextel Partners in the above-captioned proceeding.

Respectfully submitted on July 20, 2003.

By:   
Matthew J. Plache

Catalano & Plache, PLLC  
3221 M Street NW  
Washington, DC 20007  
(202) 338-3200  
(202) 338-1700 facsimile  
[mjp@catalanoplache.com](mailto:mjp@catalanoplache.com)

Counsel for NPCR, Inc. d/b/a Nextel Partners

**Before the  
FLORIDA PUBLIC SERVICE COMMISSION  
Tallahassee, FL 32399**

In the Matter of	)	
	)	Docket No. 030346-TP
<b>NPCR, INC. d/b/a NEXTEL PARTNERS</b>	)	
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Mobile Radio Service Provider in Florida, is Not	)	
Subject to the Jurisdiction of the Florida Public	)	
Service Commission for Purposes of Designation	)	
<u>As an Eligible Telecommunications Carrier</u>	)	

**AFFIDAVIT OF RONALD J. JARVIS**

I, Ronald J. Jarvis, being first duly sworn, do hereby depose and state as follows:


1. I am a partner in the law firm of Catalano & Plache, PLLC, whose offices are located at 3221 M Street, NW, Washington, DC 20007.

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

3. I have represented NPCR, Inc. d/b/a Nextel Partners in state proceedings before state commissions. In addition, I have served as counsel for Nextel Partners in other state proceedings seeking to address and resolve factual and legal issues similar to those under consideration in the above-captioned proceeding.


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.

  
\_\_\_\_\_  
Ronald J. Jarvis

CITY OF WASHINGTON )  
 ) SS:  
DISTRICT OF COLUMBIA )

I, the undersigned Notary Public in and for the District of Columbia, hereby state that Ronald J. Jarvis, well-known to me, appeared before me on this 15<sup>th</sup> day of July, 2003, and, being duly sworn, executed the foregoing "Affidavit" in my presence.

  
\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
[SEAL]

My Commission Expires: 11/30/06

## CERTIFICATE OF SERVICE

I, the undersigned, an attorney in the law firm of Catalano & Plache, PLLC, hereby certify that on this 15<sup>th</sup> day of July, 2003, I sent true and complete photocopies of the foregoing "Request for Representation" by U.S. First Class Mail, postage prepaid; to the following individuals:

Christiana Moore, Esq.  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd  
Tallahassee, FL 32399-0850

Nancy B. White,  
c/o Nancy Sims  
BellSouth Communications  
150 South Monroe St., Suite 400  
Tallahassee, FL 32301-1556

Benjamin Dickens  
Blooston Law Firm  
2120 L Street, NW  
Washington, DC 20037

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GT Com  
P.O. Box 220  
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TDS Telephone/Quincy Telephone  
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Quincy, FL 32353

Kimberly Caswell  
Richard Chapkis  
Verizon  
P.O. Box 110, FLTC0717  
Tampa, FL 33601-0110



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Matthew J. Plache