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August 15, 2003

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

via Overnight Mail

Re: Docket No. 030829-TP - Complaint of FDN Communications for
Resolution of Certain Billing Disputes and Enforcement of UNE Orders and
Interconnection Agreements with BellSouth Telecommunications, Inc.

Dear Ms. Bayó,

By letter dated August 14, 2003, the undersigned requested you file in a new docket an
original and seven (7) copies of the captioned Complaint. You should have received said
Complaint August 15.

Enclosed please find an original and seven copies of a corrected page 9 to said
Complaint. The original page 9 contained a typographical error highlighted on the
corrected page 9. I ask that you file this letter and the corrected page in the new docket.

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

Sincerely,

Matthew Feil
FDN Communications
General Counsel

C: Beth Keating (FPSC)
Nancy White (BellSouth)

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order also changed the distribution of wire centers and the density zones to which they relate. For instance, the Miami wire center designated as MIAMFLAL, which was formerly a Zone 1 wire center, was moved to Zone 2.¹¹ The Commission approved the modified rates and closed the docket, ordering the rates to take effect when existing interconnection agreements are amended and the amended agreement becomes effective under the law.¹² It further held that the rates would become effective for new interconnection agreements when the Commission approved the agreement.¹³

B. The Parties' Interconnection Agreements

22. The parties implemented the Commission's *Final Order* via an amendment to the Interim Agreement; the amendment became effective on September 5, 2001. The Pre-2003 Agreement was not amended to reflect the *120-day Order*; rather, the parties incorporated the *120-day Order* in the 2003 Agreement. However, prior to the effective date of the 2003 Agreement, BellSouth unilaterally implemented the *120-day Order* and billed FDN as if the parties' pre-2003 Agreement had been amended. BellSouth implemented the Commission's order such that it took the Commission's new zone framework, *i.e.*, the wire centers and the corresponding zones, without also taking the rates that correspond to those wire centers/zones. For example, the JCVLFLOW wire center moved from Zone 2 to Zone 3 as a result of the Commission's *120-day Order*. Instead of billing FDN for a loop out of that wire center at the Zone 2 rate listed in the pre-2003 Agreement, BellSouth billed FDN at the Zone 3 rate listed in the parties' pre-2003 Agreement. Thus, BellSouth unilaterally implemented the Commission's new structure without taking the corresponding "new" rates.

¹¹ Order at p. 157 (Appendix B).

¹² *Id.* at p. 115.

¹³ *Id.*