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August 22, 2003

Blanca S. Bayo, Director  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

***Re: Docket No. 990649B-TP***

Dear Ms. Bayo:

We are writing this letter on behalf of Business Telecom, Inc. ("BTI"). On November 15, 2002, the Commission issued Order No. PSC-01-1574-FOF-TP, in which it ordered Verizon to reduce certain UNE rates paid by CLECs.

On August 5, 2003, the Commission issued Order No. PSC-03-0896-PCO-TP, in which it granted Verizon's Motion to Stay the effectiveness of Order No. PSC-01-1574-FOF-TP pending judicial review. At page 9 of Order No. PSC-03-0896-PCO-TP, the Commission stated:

To be eligible for the full aforementioned refund back to the date of this Order, a CLEC must, within 90 days of the issuance of this Order, file with the Commission and send to Verizon a letter stating that the CLEC would have sought implementation of the rates ordered in this proceeding, absent the stay. This condition recognizes the varying effect of the rates on individual CLECs. Any CLECs that submit the required letter after the 90 days will only be eligible for a refund back to the filing date of their letter.

The purpose of this letter is to verify that, absent the stay, BTI would have sought implementation of the rates ordered in Order No. PSC-01-1574-FOF-TP. Accordingly, by the terms of Order No. PSC-03-0896-PCO-TP, BTI is entitled, at a minimum, to have any refund in this proceeding made effective as of August 5, 2003.

An original and fifteen (15) copies of this filing are attached. Please date-stamp the enclosed extra copy of this filing and return it in the attached self-addressed, postage prepaid envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact us.

Sincerely,

  
Eric J. Byrman

Philip J. Macres

cc: Kimberly Caswell (Verizon)

DOCUMENT NUMBER-DATE


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FPSC-COMMUNICATIONS CLERK

cc: Kimberly Caswell (Verizon)  
Pete Eger (Verizon)  
Dottie Sapp (Verizon)  
Jean Houck (BTI)  
Parties of Record

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the attached letter dated August 22, 2003 has been served on the following parties by U.S. mail this 22<sup>nd</sup> day of August, 2003.



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