



RECEIVED-FPSC  
03 NOV 21 PM 1:57

COMMISSION  
CLERK

November 20, 2003

Ms. Blanca S. Bayo  
Director, Division of the Commission  
Clerk and 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. Bayo:

Enclosed please find an original and seven (7) copies of each of the following:

- 11842-03 1. FDN Communications' Motion to Amend
- 11843-03 2. A redlined version of the Complaint
- 11844-03 3. The amended Complaint
- 11845-03 4. FDN's Second Set of Request for Production of Documents to BellSouth  
Telecommunications, Inc. (4)
- 11846-03 5. FDN's Notice of Serving its Second Set of Request for Production of  
Documents (4) on BellSouth Telecommunications, Inc.

If you have any questions regarding the enclosed, please call me at 407-447-6636.

Sincerely,

Scott Kassman  
FDN Communications  
Assistant General Counsel

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM 3
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC 1
- OTH \_\_\_\_\_

LOCAL

LONG DISTANCE

390 North Orange Avenue Suite 2000 Orlando, FL 32801  
407.835.0300 Fax 407.835.0309 www.fdn.com

03 NOV 21 AM 10:41  
DISTRIBUTION CENTER  
DO NOT WRITE IN THESE SPACES

11842 NOV 21 8

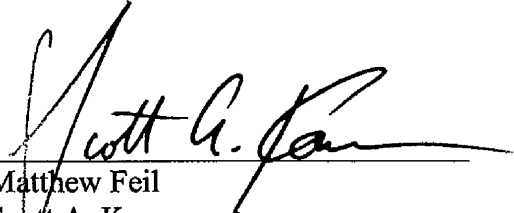
FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by e-mail and regular mail to the persons listed below, other than those marked with an (\*) who have been sent a copy via overnight mail, this 20th day of November, 2003.

BellSouth Telecommunications, Inc.  
Nancy B. White/Meredith Mays  
C/O Ms. Nancy H. Sims  
150 S. Monroe Street  
Suite 400  
Tallahassee, FL 32301-1556  
[nancy.sims@bellsouth.com](mailto:nancy.sims@bellsouth.com)

Ms. Linda Dodson  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
[ldodson@psc.state.fl.us](mailto:ldodson@psc.state.fl.us)  
[bkeating@psc.state.fl.us](mailto:bkeating@psc.state.fl.us)



Matthew Feil  
Scott A. Kassman  
FDN Communications  
390 North Orange Avenue  
Suite 2000  
Orlando, FL 32801  
(407) 835-0460  
[mfeil@fdn.mail.com](mailto:mfeil@fdn.mail.com)  
[skassman@fdn.mail.com](mailto:skassman@fdn.mail.com)

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In the Matter of**

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

**FLORIDA DIGITAL NETWORK, INC.'S MOTION TO AMEND**

Florida Digital Network, Inc. d/b/a FDN Communications ("FDN") pursuant to Rule 28-106.202, Florida Administrative Code, hereby files the instant motion to amend its complaint, originally filed on August 15, 2003, in the above-referenced matter. A copy of FDN's amended complaint is attached hereto.

1. FDN maintains that neither the parties nor the Commission will be prejudiced by the instant filing, given that the due date for filing testimony in this docket has been scheduled for February.

2. FDN seeks to amend the complaint because FDN's initial filing did not make clear that FDN disputed nonrecurring disconnect charges in all cases where BellSouth submits an order for a customer to leave FDN service, not just in cases of a BellSouth "winback." Discussion held during the issue identification process pointed out this lack of clarity.

3. FDN has contacted Commission staff and BellSouth regarding its position on this motion and reports that neither BellSouth nor Commission staff have any objection to the instant filing.

DOCUMENT NUMBER-DAT

11842 NOV 21 03

FPSC-COMMISSION CLERK

Accordingly, FDN respectfully requests that its motion to amend be approved.

Submitted this 20<sup>th</sup> day of November, 2003.

A handwritten signature in black ink, appearing to read "Scott A. Kassman". The signature is written in a cursive style with a long horizontal flourish at the end.

Scott A. Kassman  
FDN Communications  
390 North Orange Avenue  
Suite 2000  
Orlando, FL 32801  
407-447-6636  
[skassman@mail.fdn.com](mailto:skassman@mail.fdn.com)