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GENERAL COUNSEL
RICHARD D. MELSON
(850) 413-6248

Public Service Commission

February 2, 2004

RESPONSE IS REQUIRED

At the outset, please note that if you are NOT providing services, you may simply check the following box and fax this letter to:

(850) 413-6403. □

TX227
Ms. Rowena Valle
I Vantage Network Solutions
4380 Boulder Highway
Las Vegas, NV 89121-3002

Re: Data Request Regarding Implementation of Requirements Arising from Federal Communication Commission's Triennial Unbundled Network Element Review - Local Circuit Switching for Mass Market Customers (Docket No. 030851-TP) and High-Capacity Loops and Transport (Docket No. 030852-TP) (Responses due February 13, 2004)

Dear Ms. Valle:

On December 1, 2003, Ms. Beth Salak, Director of the Division of Competitive Markets and Enforcement, requested data from your company. The data request was sent via the United States Postal Service, certified mail. In her correspondence, Ms. Salak requested that you provide responses no later than December 21, 2003. Your company has not yet responded to the data request.

Your company's input to this data request is very important. The Florida Public Service Commission (FPSC) is required by the Federal Communications Commission (FCC) to conduct a granular analysis determining the existence of impairment under Section 251(d)(2) of the 1996 Telecommunication Act. To this end, the FPSC must determine whether incumbent local exchange carriers (ILECs) must continue to provide competing carriers in all markets with access to: (1) high-capacity loops; (2) mass market switching; and (3) dedicated transport.

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MWS _____
- SEC _____
- OTH _____

Leach
dpr

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FPSC-COMMISSION OF FRK

Page 2 of 2
February 2, 2004

In order for the FPSC to perform this analysis, it is critical that each competitive local exchange company (CLEC), that maintains a Certificate of Public Convenience and Necessity in Florida, timely responds to the request. A duplicate copy of the data request and accompanying cover letter is included for your completion, if you are providing service. If you are not providing service, simply check the box on the first page and fax that page to (850) 413-6403. Whether you are providing service or not, a response should be provided by **February 13, 2004**.

The FPSC is vested with enforcement authority which it could call into play, including fines up to \$25,000 per day, but this agency would much rather have the information we need from you, rather than proceeds of any fines we are empowered to levy.

Nonetheless, please know that this letter is the last request, short of enforcement action, for you to either submit the requested information, or return this letter with the box in the upper right hand corner checked, if it applies to you.

Should you have any questions regarding this letter, please feel free to contact me at (850) 413-6199.

Sincerely,



Richard D. Melson
General Counsel

December 1, 2003

RESPONSE IS REQUIRED

At the outset, please note that if you are NOT providing telecommunications services in Florida, you may simply check the following box and fax this letter to (850) 413-6454.

Company Code
Name
Title
Company Name
Street Address
City, State, Zip Code

Re: Data Request Regarding Implementation of Requirements Arising From Federal Communication Commission's Triennial Unbundled Network Element Review - Local Circuit Switching for Mass Market Customers (Docket No. 030851-TP) and High-Capacity Loops and Transport (Docket No. 030852-TP) (Responses due by December 21, 2003)

Dear Mr./Mrs./Ms.:

On February 20, 2003, the Federal Communications Commission (FCC) adopted new rules concerning an incumbent telecommunications exchange carrier's (ILEC) obligations to make unbundled network elements (UNEs) available to competing carriers. The *Triennial Review Order*¹ adopts rules which establish a new standard for determining the existence of impairment under section 251(d)(2) of the 1996 Telecommunications Act and sets forth a new list of UNEs. Additionally, the FCC requires state commissions to conduct a granular analysis within 9 months of the effective date of the order (i.e., July 2, 2004) to determine whether ILECs in that state must continue to provide access to certain network elements. To this end, the Florida Public Service Commission must determine whether ILECs in Florida must continue to provide competing carriers in all markets with access to: (1) high-capacity loops; (2) mass market switching; and (3) dedicated transport.

On August 22, 2003, the Commission opened two dockets to address the implementation of the *Triennial Review Order*. The attached data request addresses targeted trigger-related information, pursuant to the unbundling requirements specified in 47 CFR §51.319. Providing the requested data is essential to ensure that each carrier's facilities are considered in conclusions reached regarding UNE obligations. Company responses are due to the Commission by

¹ *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, Report and Order (rel. Aug. 21, 2003)(FCC 03-36), as corrected by errata, FCC 03-227 issued on September 17, 2003 (*Triennial Review Order* or *TRO*).

Once the completed data request is received by the Commission, the information will be public record. If you believe your response contains confidential information, you can request that your response be exempt from FS 119.07(1), General State Policy on Public Records. If you are claiming confidential classification, a written request for the specific material to which the confidentiality relates should be filed with the Division of the Commission Clerk and Administrative Services with a copy to Pat Lee, Division of Competitive Markets & Enforcement. Enclosed is a copy of Florida Public Service Commission Rule 25-22.006, Florida Administrative Code, which provides the necessary information for submitting confidential information to be exempt from FS 119.07(1). Please note that a claim of confidentiality does not alleviate the obligation to respond to the data request in a timely manner. In addition, claims of confidentiality should not be made for information that is publicly available from other sources (switch locations, for example, are available from the Local Exchange Routing Guide).

In order to meet the 9-month federal requirements, it is essential that we obtain this information in a timely manner, as required by Florida Public Service Commission Rule 25-4.043, Florida Administrative Code, Response to Commission Staff Inquiries. Failure to comply with this rule can result in the Commission assessing penalties of up to \$25,000 per offense, with each day of non-compliance constituting a separate offense per FS 364.285(1). We encourage you to retain a record confirming delivery of your company's response to the data request, such as a certified mail receipt, a fax log, or a copy of an e-mail.

Responses to the enclosed data request are due no later than **December 21, 2003**. If you have any questions, please contact Pat Lee at (850) 413-6453 (plee@psc.state.fl.us).

Sincerely,

Beth Salak
Director, Division of Competitive Markets
& Enforcement

cc: Sally Simmons, Division of Competitive Markets & Enforcement
David Dowds, Division of Competitive Markets & Enforcement
Adam Teitzman, Office of General Counsel

AFFIDAVIT

DISTRIBUTION CENTER

By my signature below, I, Joseph Koppu, attest to the accuracy of the information contained herein and the attached documents. I have reviewed the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of NOS Communications, Inc.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."

Joseph Koppu
Print Name

[Signature]
Signature

President
Title

February 10, 2004
Date

702-547-8421
Telephone No.

702-933-1754
Fax No.

NOS Communications, Inc.
Utility

Address: 4380 Boulder Highway
Las Vegas, NV 89121

STATE OF Nevada
COUNTY OF Clark

Sworn to (or affirmed) and subscribed before me this 12th day of Feb 2004, by Joseph Koppu

(NOTARY SEAL) 

[Signature]
(Signature of Notary Public)

(Name of Notary Typed, Printed, or Stamped)

Personally Known OR Produced Identification _____ Type of Identification Produced _____

	A	B	C	D	E
1	Please enter the information requested below in column B in reference to your company				
2	FPSC CODE		The FPSC code should be on the address label used to send the paper copies of this data request to you.		
3	Company Name, as it appears on your provider's certificate	NOS Communications, Inc. - TX227	Use the company name that appears on the address label, as well.		
4	OCN from LERG				
5	OCN Name from LERG				
6	Category (CLEC, ILEC, WIRELESS)	CLEC			
7	AOCN from LERG (administrative)		Continue with additional affiliations or DBA Names down the columns ---->		
8	FLPSC code for Affiliations				
9	DBA Names	Ivantage Network Solutions, Inetba			
10	If you do not provide service or are providing service only via resale in Florida, please enter "No Service" and return this information.	No Service			
11					
12					
13					
14	Please complete the above information as requested.				

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	
1	Self-Providers																		
2	Customer Information					High-Capacity Loop Type			Number of circuits							High-Capacity Loop Type			
3	Street Address	City	Zip	Wire Center CLLI	Self-Provider? (Y/N)	Dark Fiber? (X or blank)	DS1? (X or blank)	DS3? (X or blank)	# Dark Fiber provisioned circuits	# DS1 level provisioned circuits	# DS3 level provisioned circuits	# Dark Fiber working circuits	# DS1 level working circuits	# DS3 level working circuits	Wholesaler? (Y/N)	Dark Fiber? (X or blank)	DS1? (X or blank)	DS3? (X or blank)	
4	N/A			N/A	N				0	0	0	0	0	0	N				

	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	
1	Wholesalers															
2	Number of circuits															
3	# Dark Fiber provisioned circuits	# DS1 level provisioned circuits	# DS3 level provisioned circuits	# Dark Fiber working circuits	# DS1 level working circuits	# DS3 level working circuits	Point-to-Point (P) or Ring (R) configuration	Accessible? (Y/N)	Sole Access? (Y/N)	Using? (Y/N)	Giving? (Y/N)	Owner? (Y/N)	Loop Owner?	Loop Wholesaler?	Nature of agreement?	
4	0	0	0	0	0	0							No	No		

	A	B	C	D	E	F	G	H
1	Please list all of your remote switches. Any switches located at the central office, do not need to be added.							
2	Switch CLLI	Host CLLI	Vertical Coord- inates	Horiz- ontal Coord- inates	Switch Street Address	City	State	Zip
3	N/A							

Switching

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	
1			Type of Switch (X or Blank)																		Y or N			
2	Wire Center CLLI	Switch CLLI	End Office	Tandem Office	Multi-Function	Remote Line	Packet	Broadband	Other	# of VG provisioned	# of VG in use	Capacity (CCS)	# of Residential	# of Customers with 1 to 3 lines	# of Customers with 4 to 8 lines	# of Customers with 9 lines or more	# Voice only	# Data Service Only	# Voice and Data	Owner?	Wholesaler?	Self-Provider?	FPSC code of Owner	
3	EXAMPLEXXX	N/A																						
4	ABDLFLXA96H																							
5	ALFAFLXA67H																							
6	ALFRFLXARS0																							
7	ALSPFLXADS0																							
8	ALTRFLXARSA																							
9	ALVAFLXARS1																							
10	ANMRFLXA77H																							
11	APPKFLXADS1																							
12	ARCDFLXADS0																							
13	ARCHFLMA																							
14	ASTRFLXARS0																							
15	AVPKFLXADS0																							
16	BAKRFLXADS0																							
17	BARTFLXA53H																							
18	BAYUFLXA54H																							
19	BBPKFLXARSA																							
20	BCGRFLXARS1																							
21	BCRTFLBT																							
22	BCRTFLMA																							
23	BCRTFLSA																							
24	BGPIFLMA																							
25	BHPKFLXA28H																							
26	BKVLFLJF																							
27	BLDWFLMA																							
28	BLGLFLMA																							
29	BLVWFLXADS0																							
30	BNFYFLXARS0																							
31	BNNLFLMA																							
32	BNSPFLXADS1																							

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	
1																
2	FROM ILEC										TO ILEC					
3	Central Office Address										Arrange- ment Type	Central Office Address				
4	CLLI	Street Address	City	State	Zip	Vert- ical Coord- inates	Horiz- ontal Coord- inates	Caged? (Y/N)	Cageless? (Y/N)	Virtual? (Y/N)	CLLI	Street Address	City	State	Zip	
5	N/A															

	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI	AJ	AK	AL	AM	AN	AO
1	TRANSPORT ROUTE																									
2	Self-Providers												Wholesalers													
3			Arrangement Type				Transport Type			Number of transport circuits								Transport Type			Number of transport circuits					
4	Vertical Coordinates	Horizontal Coordinates	Caged? (Y/N)	Cageless? (Y/N)	Virtual? (Y/N)	Self-Provider? (Y/N)	Dark Fiber? (X or blank)	DS1? (X or blank)	DS3? (X or blank)	transport circuits provisioned	# DS1 level transport circuits provisioned	# DS3 level transport circuits provisioned	# Dark Fiber working circuits	# DS1 level working circuits	# DS3 level working circuits	Wholesaler? (Y/N)	Carrier?	Dark Fiber? (X or blank)	DS1? (X or blank)	DS3? (X or blank)	transport circuits provisioned	# DS1 level transport circuits provisioned	# DS3 level transport circuits provisioned	# Dark Fiber working circuits	# DS1 level working circuits	# DS3 level working circuits
5																N										

	AP
1	
2	
3	
4	Supplier?
5	