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February 16, 2004

Mrs. Blanca Bayo, Director  
Division of Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RECEIVED FPSC  
FEB 16 PM 4:17  
COMMISSION  
CLERK

**RE: Docket No. 030851-TP -  
SUPRA'S MOTION TO CORRECT SURREBUTTAL  
TESTIMONY OF DAVID A. NILSON**

Dear Mrs. Bayo:

Enclosed is the original and fifteen (15) copies of Supra Telecommunications and Information Systems, Inc.'s (Supra) Motion to Correct Surrebuttal Testimony of David A. Nilson to be filed in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return it to me.

RECEIVED & FILED

*On*  
FPSC-BUREAU OF RECORDS

Sincerely,

*Jorge Cruz-Bustillo*  
Jorge Cruz-Bustillo  
Assistant General Counsel

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM 5 \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

**Docket No. 030851-TP**

**I HEREBY CERTIFY** that a true and correct copy of the following was served via E-Mail, Hand Delivery, and/or U.S. Mail this 16<sup>th</sup> day of February 2004 to the following:

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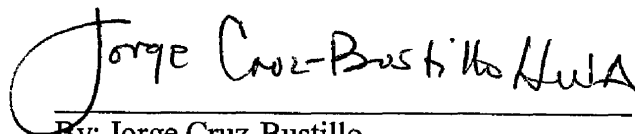
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By: Jorge Cruz-Bustillo

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Implementation of requirements arising )  
from Federal Communications Commission ) Docket No. 030851-TP  
Triennial UNE Review: Local Circuit Switching )  
For Mass Market Customers ) Served: February 16, 2004  
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 )  
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**SUPRA TELECOMMUNICATIONS AND INFORMATION SYSTEMS, INC.,  
MOTION TO CORRECT  
SURREBUTTAL TESTIMONY OF DAVID NILSON**


Supra Telecommunications and Information Systems, Inc., (“Supra”), by and through its undersigned attorney files this Motion To Correct Surrebuttal Testimony and in support thereof, state as follows:

1. Mr. David Nilson’s Surrebuttal Testimony was filed on January 28, 2004.
2. The reference to Exhibit 4 to Mr. Nilson’s Surrebuttal Testimony was inadvertently omitted. The reference should have appeared on Page 17, L 8-9 and read as follows: Supra Exhibit # DAN-SRT-4. See Exhibit A that is the page with the corrected reference.
3. The exhibit explains Mr. Nilson’s testimony in which he rebuts BellSouth Witness Gray. The undersigned notified Staff at the pre-hearing on February 9, 2004 that a Motion to Correct Surrebuttal testimony would be filed shortly. BellSouth has had this exhibit since Friday, February 6, 2004. All parties have had this Exhibit since February 9, 2004. BellSouth cross-examined Mr. Nilson for 2 hours on his filed testimony. BellSouth was always been able to notice Mr. Nilson for a separate deposition if they so chose. They did not and have not. No party has been prejudiced.

WHEREFORE, Supra respectfully requests that this Commission grant Supra’s Motion to Correct Mr. Nilson’s testimony.

Respectfully submitted this 16<sup>th</sup> day of February 2004.

SUPRA TELECOMMUNICATIONS  
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By:  JORGE L. CRUZ-BUSTILLO

1 about March 21, 2002, and began billing Supra for collocation rent in August 2002 after the post  
2 turnover errors were resolved. This much is a matter of record, and Mr. Gray is wrong.

3 In between those dates, BellSouth used the doge of excessive, irrational, unsupportable  
4 charges (based on the contract provisions) to charge Supra in excess of \$325,000 per office to  
5 gain access to the 400 sq feet of collocation space. Supra eventually took possessing in 2002  
6 without ever paying , or being billed these charges which were used as a barrier to entry for over  
7 4 years.

8 There is nothing truthful in Mr. Grays testimony in regard to Supra's collocation efforts. (Supra  
9 Exhibit # DAN-RT4)

10

11 **Q. Does this conclude your Testimony**

12 **A. Yes**