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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Implementation of requirements arising From Federal Communications Commission's Triennial UNE review; Location-Specific Review for DS1, DS3 and Dark Fiber Loops, And Route-Specific Review for DS1, DS3 and Dark Fiber Transport.

Docket No. 030852-TP

COMMISSION CLERK

Filed: February 18, 2004

REQUEST FOR REPRESENTATION BY A QUALIFIED REPRESENTATIVE, STEVEN AUGUSTINO

Pursuant to Rule 28-106.106, Florida Administrative Code, the Florida Competitive Carriers Association (FCCA), through its undersigned counsel, submits its Request for Representation by a Qualified Representative, Steven Augustino, in the above-referenced proceeding. In support of its Request, the FCCA states:

- 1. The FCCA is a Florida not-for-profit corporation, whose members provide competitive telecommunications services in the state.
2. Any pleading, motion, notice, order or other document required to be served upon the petitioner or filed by any party relative to this Request for Representation should be served upon the following individuals:

Joseph A. McGlothlin
Vicki Gordon Kaufman
McWhirter Reeves McGlothlin Davidson
Kaufman & Arnold, P.A.
117 South Gadsden
Tallahassee, Florida 32301
(850) 222-2525 (telephone)
(850) 222-5606 (fax)

- 3. This petition is filed pursuant to Rule 28-106.106, Florida Administrative Code. Rule 28-106.106(2)(a) requires that the FCCA submit a written request to the presiding officer in

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the event that the FCCA elects to be represented before the Commission by a qualified representative. The FCCA hereby submits such a request.

4. The FCCA seeks leave of the presiding officer for the individual identified below to appear as a qualified representative on behalf of the FCCA for any purpose and in all matters or proceedings conducted before the Commission in connection with this docket:

Steven Augustino
Kelley Drye & Warren
1200 19th Street, N.W.
Suite 500
Washington, D.C. 20036
Telephone 202 955 9600

5. Consistent with Rule 28-106.106(2)(b), the FCCA hereby affirms that it is aware of the services Mr. Augustino can provide and, further, that the FCCA can elect to be represented solely by “counsel,” as that term is defined by Rule 28-106.106(1). Indeed, the FCCA has elected to be represented in this matter by other attorneys in addition to Mr. Augustino.

6. The FCCA submits that Mr. Augustino possesses the necessary qualifications to responsibly represent the FCCA’s interests in this matter. In particular, Mr. Augustino possesses special experience and expertise in matters involving the FCC’s Triennial Review Order. Mr. Augustino’s qualifications are set forth in the attached affidavit, Attachment A.

7. As reflected in Mr. Augustino’s affidavit^{1,2} he: (i) is an attorney admitted to practice in the District of Columbia and the State of Maryland; (ii) is familiar with those portions of the Florida Statutes relative to the Commission’s jurisdiction, the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding, and those portions of the


¹ While the caption of Attachment A refers to Docket Nos. 030851-TP and 030852-TP, this Request for Representation is limited to Docket No. 030852-TP.

² A faxed copy of the Affidavit is attached. The original will follow.

Florida Administrative Code and Florida Statutes related to the rules of evidence, including the concept of hearsay in an administrative proceeding. Mr. Augustino has assisted clients as national counsel in several matters before the Florida Public Service Commission that were handled by Florida local counsel.

8. Consistent with the standard set forth in Rule 28-106.107, through his participation in other proceedings involving the FCC's Triennial Review Order, in addition to his participation on behalf of the FCCA, Mr. Augustino has acquired actual knowledge of the factual and legal issues involved with his representation of the FCCA in this docket.

WHEREFORE, for the above and foregoing reasons, the FCCA requests that Mr. Augustino be permitted to appear as a qualified representative on behalf of the FCCA.


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jmcglothlin@mac-law.com

Attorneys for Florida Competitive Carriers
Association

Attachment A

Affidavit of Steven Augustino

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re:)	
Implementation of Requirements Arising)	
From Federal Communications Commission's)	Docket No. 030851-TP
Triennial UNE Review)	
Local Circuit Switching For Mass Market)	
Customers)	

In re:)	
Implementation of Requirements Arising)	
From Federal Communications Commission's)	Docket No. 030852-TP
Triennial UNE Review)	
Location-Specific Review for DS1, DS3 and)	
Dark Fiber Loops, And Route-Specific Review)	
For DS1, DS3 and Dark Fiber Transport.)	

AFFIDAVIT OF STEVEN A. AUGUSTINO

DISTRICT OF COLUMBIA : ss

CITY OF WASHINGTON : ss

I, Steven A. Augustino, being duly sworn, do hereby depose and state as follows:

1. I am an attorney with Kelley Drye & Warren LLP.

2. I am a member in good standing of the District of Columbia and Maryland Bars and am seeking to be designated as a qualified representative in the above-captioned docket pursuant to Rule 28-106.106, Florida Administrative Code.

3. I have served as regulatory counsel to numerous companies in proceedings before state commissions. I have represented clients as national outside counsel in several matters before the Florida Public Service Commission that were handled by Florida local counsel.

Moreover, I have acted as the lead attorney in Triennial Review proceedings before other state commissions that have involved the examination and resolution of factual and legal issues similar to those under consideration in the above-captioned docket.

4. I am familiar with the relevant portions of the Florida Statutes, the Florida Rules of Civil Procedure, the Florida Administrative Code, and the Florida Rules of Evidence.

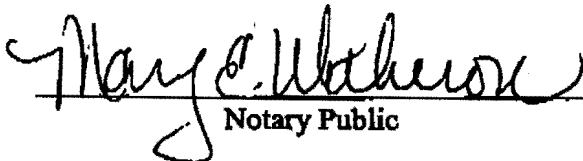
I declare that the foregoing is true and correct based on my knowledge, information, and belief.



Steven A. Augustino

SWORN TO AND SUBSCRIBED before me this 17th day of February

2004.


Notary Public

MARY E. WITHEROW

Notary Public District of Columbia

My Commission expires: ~~My Commission Expires September 30, 2004~~

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Florida Competitive Carriers Association's Request for Representation by a Qualified Representative, Steven Augustino, has been provided by (*) hand delivery, (**) email and U.S. Mail this 18th day of February, 2004, to the following:

(**) Adam Teitzman, Staff Counsel
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Florida Public Service Commission
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(*) (**) Nancy White
c/o Nancy Sims
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(**) Richard Chapkis
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Tampa, Florida 33602

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Joseph A. McGlothlin