

LAW OFFICES
Messer, Caparello & Self
A Professional Association

Post Office Box 1876
Tallahassee, Florida 32302-1876
Internet: www.lawfla.com

February 25, 2004

BY HAND DELIVERY

Ms. Blanca Bayó, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 030852-TP

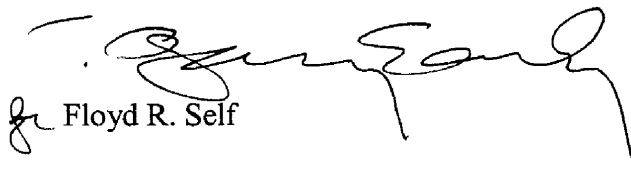
Dear Ms. Bayó:

Enclosed for filing on behalf of KMC Telecom III, LLC, are an original and fifteen copies of KMC's Response to Verizon Florida Inc.'s Motion to Compel KMC Discovery in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,


Floyd R. Self

EGE/amb
Enclosures

DOCUMENT NUMBER-DATE

02804 FEB 25 04

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Implementation of Requirements)	
Arising From Federal Communications)	
Commission Triennial UNE Review:)	Docket No.: 030852-TP
For DS1, DS3, and Dark Fiber Loops)	Filed: February 25, 2004
And Route-Specific Review for DS1, DS3,)	
And Dark Fiber Transport)	
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**KMC's RESPONSE TO VERIZON FLORIDA INC.'S
MOTION TO COMPEL DISCOVERY**

KMC Telecom III, LLC, pursuant to Rules 28-106.204 and 28-106.206 of the Florida Administrative Code, and Rules 1.280 and 1.380 of the Florida Rules of Civil Procedure, hereby responds to Verizon Florida Inc.s' Motion to Compel KMC Discovery, and states:

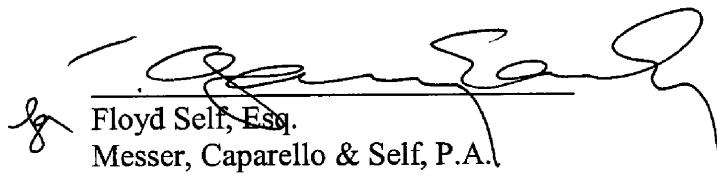
1. On February 25, 2004, responses to the discovery that is the subject of Verizon's Motion was made.

2. The e-mail attached to the Motion indicated no intent to disregard the discovery, but rather indicated that substantial efforts were being made to respond to all of the outstanding discovery, including that propounded by Staff and Verizon. The e-mail indicated that responses to the Verizon discovery were being formulated, with the only question being the exact date upon which discovery responses would be complete. The e-mail did not intimate that discovery responses were being disregarded. Throughout the process, KMC made responses to Staff discovery available to Verizon as it was completed.

3. Based on the filing of discovery responses on this date, the Verizon Motion to Compel KMC Discovery is moot. Thus, the Motion should be denied on that ground.

WHEREFORE, for the reason set forth herein, KMC Telecom III, LLC requests that the Commission enter an Order denying Verizon's Motion to Compel KMC Discovery.

Respectfully submitted this 25th day of February, 2004.


Floyd Self, Esq.
Messer, Caparello & Self, P.A.
215 S. Monroe Street, Suite 701
Tallahassee, FL 32302
(850) 222-0720

Marva Brown Johnson
KMC Telecom III LLC
1755 North Brown Road
Lawrenceville, Georgia 30043

Andy Klein
Kelley Drye & Warren LLP
1200 19th Street, N.W.
Washington, DC 20036

Attorneys for KMC Telecom III LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Hand Delivery (*), electronic mail, and/or U. S. Mail this 25th day of February, 2004.

Adam Teitzman, Esq.*
Office of General Counsel, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Jason Rojas, Esq.*
Office of General Counsel, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Nancy B. White
c/o Nancy H. Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, FL 32301

Susan S. Masterton, Esq.
Sprint-Florida, Incorporated
Sprint Communications Company Limited
Partnership
P.O. Box 2214
Tallahassee, FL 32316-2214

Richard A. Chapkis, Esq.
Verizon Florida Inc.
P.O. Box 110, FLTC0007
Tampa, FL 33601-0110

Nanette Edwards
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, AL 35802

Mr. James White
ALLTEL
601 Riverside Avenue
Jacksonville FL 32204-2987

Ms. Laurie A. Maffett
Frontier Telephone Group
180 South Clinton Avenue
Rochester NY 14646-0700

Mr. R. Mark Ellmer
GT Com
P. O. Box 220
Port St. Joe FL 32457-0220

Mr. Robert M. Post, Jr.
ITS Telecommunications Systems, Inc.
P. O. Box 277
Indiantown FL 34956-0277

Ms. Harriet Eudy
NEFCOM
11791 110th Street
Live Oak FL 32060-6703

Ms. Lynn B. Hall
Smart City Telecom
P. O. Box 22555
Lake Buena Vista FL 32830-2555

Michael A. Gross
Vice President, Regulatory Affairs
& Regulatory Counsel
Florida Cable Telecommunications Assoc., Inc.
246 E. 6th Avenue
Tallahassee, FL 32301

Tracy W. Hatch, Esq.
AT&T Communications of the Southern States, LLC
101 N. Monroe Street, Suite 701
Tallahassee, FL 32301

Lisa Sapper
AT&T
1200 Peachtree Street, NE, Suite 8100
Atlanta, GA 30309

Donna McNulty, Esq.
MCI WorldCom Communications, Inc.
1203 Governors Square Blvd, Suite 201
Tallahassee, FL 32301-2960

De O'Roark, Esq.
MCI WorldCom Communications, Inc.
6 Concourse Parkway, Suite 600
Atlanta, GA 30328

Vicki Kaufman, Esq.
Joe McGlothlin, Esq.
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 S. Gadsden Street
Tallahassee, FL 32301

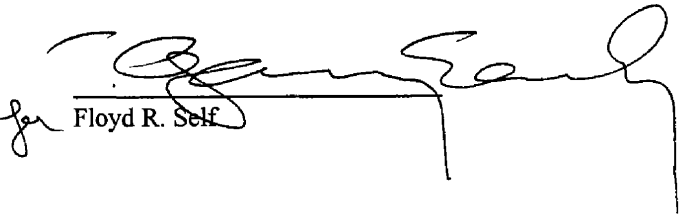
Marva Brown Johnson, Esq.
KMC Telecom III, LLC
1755 North Brown Road
Lawrenceville, GA 30034-8119

James C. Falvey, Esq.
Senior Vice President, Regulatory Affairs
Xspedius Communications, LLC
7125 Columbia Gateway Drive, Suite 200
Columbia, MD 21046

Norman H. Horton, Jr.
Messer, Caparello & Self, P.A.
P.O. Box 1876
Tallahassee, FL 32302-1876

J. Jeffry Wahlen
Ausley & McMullen
P.O. Box 391
Tallahassee, Florida 32302

Mr. Jake E. Jennings
NewSouth Communications Corp.
Two N. Main Center
Greenville, SC 29601


for Floyd R. Self

Jon C. Moyle, Jr., Esq.
Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.
118 North Gadsden Street
Tallahassee, FL 32301

Charles E. Watkins
Covad Communications Company
1230 Peachtree Street, NE, 19th Floor
Atlanta, GA 30309

Matt Feil
Scott A. Kassman
FDN Communications
2301 Lucien Way, Suite 200
Orlando, FL 32751

Jorge Cruz-Bustillo, Esq.
Supra Telecommunications and
Information Systems, Inc.
2620 S.W. 27th Avenue
Miami, Florida 33133

Mr. Jonathan Audu
Supra Telecommunications and
Information Systems, Inc.
1311 Executive Center Drive, Suite 220
Tallahassee, FL 32301

Mr. Bo Russell
Vice President
Regulatory and Legal Affairs
Nuvox Communications, Inc.
301 North Main Street
Greenville, SC 29601

Thomas M. Koutsky
Vice president, Law and Public Policy
Z-Tel Communications, Inc.
1200 19th Street, N.W., Suite 500
Washington, DC 20036

Charles Beck
Office of the Public Counsel
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400

Michael B. Twomey
P.O. Box 5256
Tallahassee, FL 32314-5256