

Section 1 - Bureau of Records Complet

Docket No. 040823-TX Date Docketed: 08/09/2004 Title: Joint application for approval for name change and transfer of Certificate No. 5618 of Focal Communications Corporation of Florida to Broadwing Communications, LLC; approval for Focal Communications Corporation of Florida to abandon services; and notification of the transfer of assets and customers of focal communications corporation of Florida to Broadwing Communications, LLC.

Company: Broadwing Communications, LLC
Focal Communications Corporation of Florida

Official Filing Date: _____
Last Day to Suspend: _____
Referred to: _____
("C)" indicates OPR)

Expiration: _____

CCA	(CMP)	ECR	FLL	GCL	MMS	PIF	RCA	SCR
	X			X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module B1(d); B1(h); B1(c)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff

Staff Counsel

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with CCA: _____

Initials: OPR _____
Staff Counsel _____

	Current CASR revision level	Due Dates	
		Previous	Current
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	

- Prehearing Officer

Commissioners					DOCUMENT NO.
BZ	DS	JB	BD	DV	

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____
Date: _____

12/31/04
14710-04

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Official Filing Date:

Expiration:

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("O" indicates OPR)

CCA	(CMP)	ECR	FLL	GCL	MMS	PIF	RCA	SCR
	X			X				

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

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Staff Assignments

OPR Staff

T Williams

Staff Counsel

J Rojas

OCRs
OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
 Hearing Examiner Staff

Date filed with CCA: 08/19/2004

Initials: OPR
 Staff Counsel

	0	Current CASR revision level	Due Dates	
			Previous	Current
1.		Staff Recommendation	NONE	09/09/2004
2.		Agenda	NONE	09/21/2004
3.		PAA Order - Close if No Protest	NONE	10/11/2004
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

- Prehearing Officer

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Commissioners					ADM
BZ	DS	JB	BD	DV	
					X

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Approved:
Date:

BIB/hw
08/19/2004

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Company: Broadwing Communications, LLC
Focal Communications Corporation of

Official Filing Date: _____ Expiration: _____

Last Day to Suspend: _____

Referred to:

CCA (CMP) ECR FLL GCL MMS PIF RCA SCR

("O") indicates OPR

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B1(d); B1(h); B1(c)

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

T Williams

1 Current CASR revision level

Due Dates
Previous Current

Staff Counsel

J Rojas

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel _____
Hearing _____ Staff _____

Date filed with CCA: 09/09/2004

Initials OPR _____

Staff Counsel _____

1.	Staff Recommendation	09/09/2004	09/23/2004
2.	Agenda	09/21/2004	10/05/2004
3.	PAA Order - Close if No Protest	10/11/2004	10/25/2004
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- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
					X

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Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/hw

Date: Pending

9/14/04

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION
CLERK & ADMINISTRATIVE
SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

August 11, 2004

Michelle S. Cadin, Attorney
Mintz Levin Cohn Ferris Glovsky and Popeo PC
701 Pennsylvania Avenue, NW
Washington, DC 20004

Re: Docket No. 040823-TX

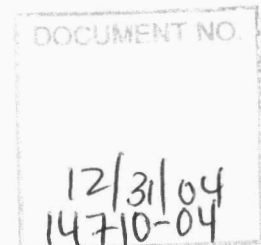
Dear Ms. Cadin:

This will acknowledge receipt of a joint application for approval for name change and transfer of Certificate No. 5618 of Focal Communications Corporation of Florida to Broadwing Communications, LLC; approval for Focal Communications Corporation of Florida to abandon services; and notification of the transfer of assets and customers of focal communications corporation of Florida to Broadwing Communications, LLC., which was filed in this office on August 9, 2004, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Bureau of Records

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

CCA Official Filing

10/25/2004 11:20 AM*****

Matilda Sanders1

Matilda Sanders

1039-PAA

From: Andrea Cowart
Sent: Monday, October 25, 2004 11:00 AM
To: CCA - Orders / Notices; Jason Rojas
Subject: Order / Notice Submitted

5

Date and Time: 10/25/2004 10:58:00 AM
Docket Number: 040823-TX
Filename / Path: 040823or.jpr.doc

Order Granting Approval for Name Change and Tranfer of Assets, Certificate and Customer Base

14/0

14 mailed
rar fax down

Administrative procedure
forced 10/26/04.

Kay Flynn

040823

From: Beth Keating
Sent: Tuesday, October 26, 2004 12:11 PM
To: Kay Flynn
Subject: RE: 040823

Yep. Thanks!

-----Original Message-----

From: Kay Flynn
Sent: Tuesday, October 26, 2004 12:10 PM
To: Beth Keating; Jason Rojas
Subject: RE: 040823

Thanks. This means we wouldn't use the rule waiver progmod for these dockets in the first place (which we've been doing all along, thinking it was a "true" rule waiver). I'll spread the word on that.

If it's not a rule waiver, there'll be no need to send the order to the APC, and no FAW notice required, right?

-----Original Message-----

From: Beth Keating
Sent: Tuesday, October 26, 2004 12:06 PM
To: Jason Rojas
Cc: Kay Flynn
Subject: RE: 040823

No, it is not necessary. We have not been including these on our waiver report, because we have a rule provision that allows us to provide the waiver. . . . This is not a waiver pursuant to Section 120.542, F.S.

Rule 25-24.455(4), Florida Administrative Code, states in part:

An interexchange company may petition for a waiver of any provision of this Part. The Commission may grant a waiver to the extent that it determines that it is consistent with the public interest to do so.

-----Original Message-----

From: Jason Rojas
Sent: Tuesday, October 26, 2004 12:03 PM
To: Beth Keating
Subject: FW: 040823

is an FAW even appropriate here? I am not completely sure what to do

-----Original Message-----

From: Kay Flynn
Sent: Tuesday, October 26, 2004 11:24 AM
To: Jason Rojas; Tommy Williams
Cc: Hong Wang; Kimberley Pena
Subject: 040823

When this docket was opened, it wasn't classified as a rule waiver docket, nor was "rule waiver" included in the docket title, and unfortunately I don't see that we were told to correct the docket title.

At this late date, it's not appropriate to change the docket title, but I did add the rule waiver progmod to

the docket in CMS, and we are sending a copy of the order issued yesterday to the Administrative Procedures Committee.

Jason, you will need to prepare an FAW notice concerning the rule waiver.

Thanks.

Kay

Marguerite Lockard

1129 - CO

From: Andrea Cowart
Sent: Monday, November 15, 2004 4:14 PM
To: CCA - Orders / Notices; Jason Rojas
Subject: Order / Notice Submitted

2

Date and Time: 11/15/2004 4:14:00 PM
Docket Number: 040823-TX
Filename / Path: 040823co.jpr.doc

Consummating Order

11/19

14/0