

ORIGINAL

**Matilda Sanders**

**From:** Barclay, Lynn [Lynn.B Barclay@BellSouth.com]  
**Sent:** Friday, May 06, 2005 3:31 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Fatool, Vicki; Linda Hobbs; Nancy Sims; Holland, Robyn P; Bixler, Micheale; Slaughter, Brenda ; Mays, Meredith  
**Subject:** 041269-TL Joint Motion Requesting Procedural Notice  
**Attachments:** 041269-TL Joint.pdf

- A. Lynn Barclay  
 Legal Secretary to Meredith Mays  
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 Suite 400  
 Tallahassee, Florida 32301  
 (404) 335-0788  
[lynn.barclay@bellsouth.com](mailto:lynn.barclay@bellsouth.com)
- B. Docket No. 041269-TL: In re: Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting From Changes of Law
- C. BellSouth Telecommunications, Inc.  
 on behalf of Meredith Mays
- D. 16 pages total
- E. Joint Motion Requesting Procedural Notice.

<<041269-TL Joint.pdf>>

*Lynn Barclay*  
 Legal Department  
 675 West Peachtree Street  
 Suite 4300

CMP \_\_\_\_\_  
 COM Atlanta, GA 30375  
 404 335-0788

CTR \_\_\_\_\_

ECR \_\_\_\_\_ \*\*\*\*\*

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RCA \_\_\_\_\_

SCR \_\_\_\_\_

SEC   1  

OTH \_\_\_\_\_

5/6/2005

DOCUMENT NUMBER DATE  
 04472 MAY -6 '05

ORIGINAL

Legal Department

**MEREDITH E. MAYS**  
Senior Regulatory Counsel  
BellSouth Telecommunications, Inc.  
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Tallahassee, Florida 32301  
(404) 335-0750

May 6, 2005

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

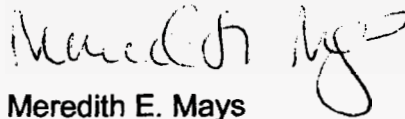
**Re: Docket No. 041269-TL**  
**In re: Petition to Establish Generic Docket to Consider Amendments to**  
**Interconnection Agreements Resulting From Changes of Law**

Dear Ms. Bayó:

Enclosed is a Joint Motion Requesting Procedural Notice which we ask that you file in the above captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

  
Meredith E. Mays

cc: All Parties of Record  
Marshall M. Criser III  
R. Douglas Lackey  
577029

DOCUMENT NUMBER-DATE

04472 MAY-6 2005

FLORIDA PUBLIC SERVICE COMMISSION

**CERTIFICATE OF SERVICE**  
**Docket No. 041269-TL**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
Electronic Mail and FedEx this 6<sup>th</sup> day of May, 2005 to the following:

Adam Teitzman  
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Commission  
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Tallahassee, FL 32399-0850  
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[ateitzma@psc.state.fl.us](mailto:ateitzma@psc.state.fl.us)

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Assoc., Inc.  
Michael A. Gross  
246 E. 6th Avenue  
Suite 100  
Tallahassee, FL 32303  
Tel. No. (850) 681-1990  
Fax No. (850) 681-9676  
[mgross@fcta.com](mailto:mgross@fcta.com)

Vicki Gordon Kaufman  
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Xpedius

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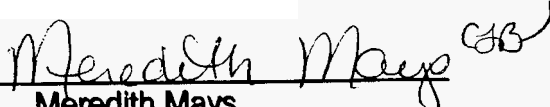
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[susan.masterton@mail.sprint.com](mailto:susan.masterton@mail.sprint.com)

  
Meredith Mays

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:	)	
	)	Docket No. 041269-TL
Petition to Establish Generic Docket to	)	
Consider Amendments to Interconnection	)	
Agreements Resulting From Changes of Law	)	
<hr/>		Filed: May 6, 2005

**JOINT MOTION REQUESTING PROCEDURAL NOTICE**

BellSouth Telecommunications, Inc. ("BellSouth") and the Competitive Carriers of the South, Inc. ("CompSouth") jointly submit this Motion requesting the Commission provide procedural notice to interested parties.

1. This docket involves various change of law issues arising from the *Triennial Review Order, USTA II* and, most recently, from the FCC's *Triennial Review Remand Order*. BellSouth and CompSouth have been diligently working to establish mutually agreeable issues and hearing schedules<sup>1</sup> throughout the Southeastern region to address those issues. One of those issues concerns the impact of any decision the Commission will ultimately reach, and how such a decision will impact CLECs that have not actively participated, to date, in this docket.
2. To resolve this issue, BellSouth and CompSouth request the Commission follow a notice procedure analogous to that adopted by the North Carolina Utilities Commission. In relevant part, the North Carolina Commission ordered BellSouth to provide a list of all CLECs to whom BellSouth had provided change of law notices. By order, all such CLECs were made parties to the proceeding and bound by the outcome of the proceeding in North Carolina.

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<sup>1</sup> Attached as Exhibit A is a copy of the hearing schedule that BellSouth and CompSouth have been discussing for the Southeastern region. Obviously the hearing dates and the order in which hearings will be conducted in the states will be subject to the individual schedules of the various commissions; BellSouth and CompSouth have tentatively filled in the states based upon their discussions and discussions that have occurred with some, but not all, state commissions.

DOCUMENT NUMBER-DATE  
04472 MAY-6 05

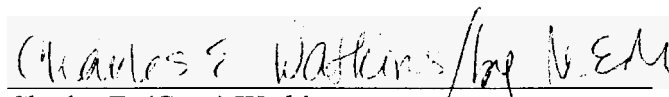
3. BellSouth has provided change of law notices to the CLECs with whom it has interconnection agreements approved by this Commission in Florida. BellSouth and CompSouth request that the Commission issue an order similar to that issued by the North Carolina Commission,<sup>2</sup> making all noticed CLECs parties to this proceeding and providing that they are bound by the outcome of this proceeding. If the Commission requires, BellSouth will renote all affected CLECs with a copy of any such order.

### CONCLUSION


BellSouth and CompSouth respectfully request the Commission order additional notice to be provided to CLECs with interconnection agreements in Florida as set forth herein and further order that such CLECs shall be real parties in interest and bound by the outcome of this docket.

Respectfully submitted, this 6th day of May, 2005.

COMPETITIVE CARRIERS OF THE SOUTH, INC.

  
Charles E. (Gene) Watkins  
Senior Counsel, Covad Communications Co.  
1230 Peachtree Street NE, Suite 1900  
Atlanta, Georgia 30309  
(404) 942-3492

BELLSOUTH TELECOMMUNICATIONS, INC.

  
R. DOUGLAS LACKEY  
MEREDITH E. MAYS  
675 W. Peachtree St., NE, Suite 4300  
Atlanta, GA 30375  
(404) 335-0750

578178

<sup>2</sup> A copy of the relevant North Carolina order is attached as Exhibit B for illustration.

**EXHIBIT A**

wk beginning	week	state 1 (GA) Issues List (Wed)	state 2 (TN) Issues List (Wed)	state 3 (NC) Issues List (Wed)	state 4 (LA) Issues List (Wed)	state 5 (AL) Issues List (Wed)	state 6 (KY) Issues List (Wed)	state 7 (SC) Issues List (Wed)	state 8 (MS) Issues List (Wed)	state 9 (FL) Issues List (Wed)
27-Jun	1	Issues List (Wed)	Issues List (Wed)	Issues List (Wed)	Issues List (Wed)	Issues List (Wed)	Issues List (Wed)	Issues List (Wed)	Issues List (Wed)	Issues List (Wed)
4-Jul	2									
11-Jul	3									
18-Jul	4	Direct (Tue)								
25-Jul	5		Direct (Tue)							
1-Aug	6			Direct (Mon)						
8-Aug	7	Rebuttal (Tue)								
15-Aug	8		Rebuttal (Tue)							
22-Aug	9									
29-Aug	10	Hearing (M-Th)		Rebuttal (Mon)						
5-Sep	11									
12-Sep	12		Hearing (M-Th)							
19-Sep	13			Hearing (M-Th)						
26-Sep	14				Hearing (M-W)					
3-Oct	15									
10-Oct	16					Hearing (M-W)				
17-Oct	17	Briefs (Fri)					Hearing (M-W)			
24-Oct	18		Briefs (Fri)							
31-Oct	19			Briefs (Fri)						
7-Nov	20									
14-Nov	21									
21-Nov	22									
28-Nov	23									
5-Dec	24									
12-Dec	25									
19-Dec	26									
26-Dec	27									
2-Jan	28									
9-Jan	29									
16-Jan	30									
23-Jan	31									
30-Jan	32									
6-Feb	33									
13-Feb	34									
20-Feb	35									
27-Feb	36									
Decision date	30-Jan									
Notes										
<p>2. We are aware that the NCJC requires the filing of a proposed order and estimated cross-examination times (the latter is due 9/14).</p>										



STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. P-55, SUB 1549

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Proceeding to Consider Amendments to	)	
Interconnection Agreements Between BellSouth	)	ORDER DECLARING
Telecommunications, Inc. and Competing Local	)	CLP PARTIES
Providers Due to Changes of Law	)	

**BY THE CHAIR:** On March 24, 2005, the Commission issued an Order Requiring List of CLPs from BellSouth Telecommunications, Inc. (BellSouth) so that the proper CLPs could be identified and noticed as parties to this docket and would be bound thereby. The Commission stated that, upon receipt of the list, it would issue an order formally declaring these CLPs as parties and therefore bound by the results of this proceeding and inquire of them as to those that wish to actively participate.

On April 7, 2005, BellSouth filed a list of the CLPs to whom it sent its change of law letter. This list is attached hereto as Appendix A.

The Chair, therefore, concludes as follows:

1. The CLPs on the list submitted by BellSouth on April 7, 2005, shall be parties to this docket and bound by the results thereof.
2. The CLPs are requested by no later than April 26, 2005 to inform the Commission of whether they intend to actively participate in this docket. For the purposes of filings, "active participation" means that a CLP receives all filings in this docket and must be served with all filings by other parties. "Inactive participation" means that a CLP only receives orders in this docket and need not be served with filings by other parties.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 12th day of April, 2005.

NORTH CAROLINA UTILITIES COMMISSION



Patricia Swenson, Deputy Clerk

**FILED**

APR 17 7:11:5

 Clerk's Office  
 N.C. Utilities Commission
**OFFICIAL COPY**

Appendix A

p-55, Sub 1549

Communications, Inc.	Eddie	Arants	3000 Arendell Street, Suite 111 2500 Industrial	Morehead City NC	28557	arants@clis.com
1-800-RECONEX, Inc.	Bill	Braun	Avenue 4866 Riverside	Hubbard OR	97032	bill.braun@reconex.com
ACCESS Integrated Networks, Inc.	Tom	Wright	Drive Suite 202 1100 Crescent	Macon GA	31210	twright@accesscomm.com richard.brown@accesspointinc.com
Access Point, Inc.	Richard	Brown, CEO	Green, Suite 109 32901 Hampton	Carry NC	27511	m
ACN Communications Services, Inc.	David	Stevanovski	Court	Farmington Hills MI	48334	dstevano@acninc.com
Adelphia Business Solutions Operations, Inc.	Tip	Depp	121 Champion Way	Canonsburg PA	15317	tip.depp@telcove.com
ALEC, Inc.	Philip	V. Petate	P.O. Box 860836	Lake Mary FL	32785	ppetate@volaris.com
ALLTEL Communications, Inc. (ACI)	Cynthia	Austin	One Allied Drive, Mailstop: B4F4-NB	Little Rock AR	72202	cynthia.austin@aitel.com
Alternative Phone	Charles	CEOCFO Wojciszewsk	P.O. Box 4230	Ocala FL	34478	charlie@alternativephone.com
American Farm Bureau, Inc.	Casey	J	225 Touhy Ave	Park Ridge IL	60068	casevw@fbinc.com
American Fiber Network, Inc.	Robert	Heath	8401 Indian Creek Parkway, Suite 140	Overland Park KS	66210	rob.heath@ainld.com branklewick@americanfiberwire.com
American Fiber Systems, Inc.	Bruce	T. Frankiewicz	100 Meridian Centre, Suite 250	Rochester NY	14618	ms.com
AmeriMex Communications, Corp.	Donald	L. Aldridge	20 Mansell Court East, Suite 200	Roswell GA	30078	don@amerimex.biz
AmTel Communications, Inc.	James	Hooper	750 Boling Street, Suite 1	Jackson MS	39209	jhooper08@comcast.net
AT&T Communications of the Southern States, Inc.	Bill	Peacock	6304 Hwy 5 2608-D Carver	Douglasville GA	30135	bpeacock@atl.com
AURA Communications, Inc.	Ron	Meece	Street	Durham NC	27705	

BellSouth BSE, Inc.	Mario	L. Soto	400 Perimeter Center Terrace, Suite 360	Atlanta	GA	30346	mario.soto@bellsouth.com
Birch Telecom of the South, Inc.	Greg	Lawhorn	2020 Baltimore Avenue	Kansas City	MO	64108	GLawhorn@birch.com
BroadPlex, LLC	Dr. Rocco	DiSanto	100 East Meeting Street	Morganton	NC	28655	rocco@broadplex.com
Budget Phone	Ron	Munn	P. O. Box 19380	Shreveport	LA	71149	rmunn@budgetphone.com
Bullseye Telecom, Inc.	Scott	Loney	25900 Greenfield Road Suite 330	Oak Park	MI	48237	sloney@bullseyetelecom.com
Business Telecom, Inc.			7037 Old Madison Pike, Suite 400	Huntsville	AL	35802	NEdwards@bdtel.com
CaroNet, Inc.	Allen	Bekelar	100 Second Avenue South Suite 400/500 South	St Petersburg	FL	33701	abekelar@prograsatelecom.com
Cel Communications International, Inc.	Debra	A. Waller - Regulatory Paralegal	4142 Malrose Avenue, P.O. Box 6129	Roanoke	VA	24017-0127	dwaller@ccitelecom.com
Cbeyond Communications, LLC	Julia	Strow	320 Interstate North Parkway, Suite 300	Atlanta	GA	30339	Julia.Strow@cbeyond.net
Choctaw Communications, Inc. d/b/a Smoke Signal Communications	William	E. Braun	2600 Industrial Avenue	Hubbard	OR	97032	bill.braun@nconex.com
Choctaw Communications, Inc. d/b/a Smoke Signal Communications	Maria	Henley	8700 S. Gessener	Houston	TX	77074	henleym@corp.smokesignal-clec.com
Choice Telephone Company Inc.	Patrick	L. Eudy	1827 Pinewood Circle	Charlotte	NC	28211	patrick@choice.com
CI2, Inc.	Pat	Dixon	200 Galleria Parkway, NW, Suite 1200	Atlanta	GA	30339	
Cnergy Communications Company	Robert	A. Bye	8829 Bond Street	Overland Park	KS	66214	bbye@cnergy.com
CityNet Telecom, Inc.	Emilio	Pardo	8403 Coleville Rd Floor 14	Bilver Spring	MD	20910	RMonsheimer@CityNetTelecom.com

Comm South Companies, Inc.

ComScape Communications, Inc.

COMTECH21, LLC  
Connect Communications, LLC

ConnectNow! Telecomm. LLC  
Covista, Inc.

CTC Exchange Services, Inc.

DIECA Communications, Inc.

DPI-Teleconnect, LLC

DSLnet Communications, LLC

DukeNet Communications, LLC

ECl

EPICUS, Inc.

ETB Communications, Inc.

EveryCall Communications, Inc.

Excel Telecommunications, Inc.

Excel Telecommunications, Inc.

FairPoint Communications

Sheri	Pringle	2908 North Buckner Blvd., Suite 500	Dallas	TX	76228	SPringle@commsouth.net
Bhugin	Modi	1626 10th Avenue, North	West Palm Beach	FL	33461	bhugin.modi@comscape.net
Marie	Marcarelli	One Barnes Park South	Wallingford	CT	06492	mmarc@proscienc.us
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Paul	Masters	Suite 300, 6475 Jimmy Carter Blvd.	Norcross	GA	30071	pmasters@emestgroup.com
Ms. Angela	Lee	1025 Greenwood Blvd., Suite 470	Lake Mary	FL	32748	alee@epicus.com
Bob	Howard	153 West Court Street	Rutherfordton	NC	28139	robbs@rfdl.net
Kyle	Coats	10500 Courney Blvd Suite 308	Baton Rouge	LA	70816	coats@everycall.com
Travis	Galt	1600 Vicaroy Drive	Dallas	TX	75235	tgalt@vartec.net
Michael	Hoffman	1800 Vicaroy Drive	Dallas	TX	75235	
Michael	Kent	5324 Fairview Road, Fourth Floor	Charlotte	NC	28210	mkent@fairpoint.com

FeroNetworks, Inc.	Don	Carrier	1481 Trotter's Cove 2300 Palm Beach Lakes Boulevard, Ste 210	Dunwoody	GA	30338	wadoca2004@yahoo.com
FLATEL, Inc.	Abby	Matarl	3557 Piasensiciale Road	WPB	FL	33409	flatelinc@aol.com
Global Connection Inc. of America	Besam	Abdallah	1080 Pittsford-	Atlanta	GA	30340	Not Applicable
Global Crossing Local Services, Inc.	Diane	Peters	Victor Road	Pittsford	NY	14534	diane.peters@globalcrossing.com
Global NAPS, Inc.	William	Rooney	89 Access Road	Norwood	MA	02062	wrooney@gnaps.com
Granite Telecommunications, LLC	Geoff	Cookman	234 Copeland St 708A Wesley Pines RD	Culncy	MA	02169	gcookman@granitel.com
GSC Telecommunications, Inc.	Gery	Carr	PO BOX 602 120	Lumberton	NC	28358	garycarr@corp.carolina.net
GShwave.com, Inc.	W.	Clewis	Lodge Street	Kanansville	NC	28349	
ICG Telecom Group, Inc.	Darlan	Collins	161 Inverness Drive West	Englewood	CO	80112	Darlan_Collins@icgcomm.com
IDS Telcom, L.L.C.	Angel	Lairo	1525 NW 187 St Suite 200	Miami	FL	33189	alairo@idstelcom.com
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Image Access, Inc.	Gene	R. Dry	3525 North Causway Blvd., Suite 601	Metairie	LA	70002	gdry0@cox.net
Image Access, Inc.	Paul	Guarico	2354 S. Acadian, Suite F	Baton Rouge	LA	70808	pguarico@shirleyandzell.com
Intermedia Communications, Inc.	Michael	A. Beach	6312 S Fiddlers Green Circle, Suite 600	Englewood	CO	80111	Michael.A.Beach@imci.com
ITC DeltaCom Communications, Inc.			7037 Old Madison Pkve, Suite 400	Huntsville	AL	35802	NEdwards@icdelta.com.com
JCM Networking Inc.	Christopher	Lates	19901 W. Catawba Ave Ste 207	Cornelius	NC	28031	clates@jcmnetworking.com
Kentucky Data Link, Inc.	John	Chuang	8829 Bond Street	Overland Park	KS	66214	chuano@kainerc.com

KMC Telecom Holding, Inc. (KMC Telecom)	Marva Johnson	Brown Johnson	1765 North Brown Road, 3rd Floor	Lawrenceville GA	30043	marva.johnson@kmc telecom.com
LecStar Telecom, Inc.	Michael Britt	Britt	2 Pavina Drive Suite 1300	Atlanta GA	30348	michael.britt@lecstar.com
Level 3 Communications, L.L.C.			1025 Eldorado Blvd 1901 Eastpoint	Broomfield CO	80028	victoria.mandell@level3.com
Lightyear Communications, Inc.	John Grieve	Grieve	Parloway	Louisville KY	40223	john@lightyear.com
Madison River Communications, LLC	Director	Regulatory Affairs	103 South Fifth St, PO Box 430	Mebane NC	27302	roberta@madisonriver.net
MCI WorldCom Communications, Inc.	Michael A. Beach	A. Beach	6312 S Fiddlers Green Circle, Suite 600	Englewood CO	80111	Michael.A.Beach@mci.com
MCImetro Access Transmission Services, Inc.	Michael A. Beach	A. Beach	6312 S Fiddlers Green Circle, Suite 600	Englewood CO	80111	Michael.A.Beach@mci.com
McLeodUSA Telecommunications Services, Inc.	William Hees	Hees	8400 C Street, S.W. P.O. Box 3177	Cedar Rapids IA	52404	james.leblanc@mcleodusa.com
Metro Teleconnect Companies, Inc.	Tom Gregson	Gregson	2150 Herr Street	Harrisburg PA	17103	tomgregson@metroteleco.com
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NOW Communications, Inc.	Scott	Kellogg	Suite 900	Lawrenceville	GA	30043	skellogg@veranet.net
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