# Messer, Caparello & Self

A Professional Association

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

June 29, 2005

## BY ELECTRONIC FILING

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. 041144-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC ("KMC") is an electronic version of a Revised Notice of Deposition for Christopher M. Schaffer in the above referenced docket.

Thank you for your assistance with this filing.

Sincerely yours,

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FRS/amb Enclosures

cc: Parties of Record

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaint of Sprint-Florida, Incorporated	)	
Against KMC Telecom III LLC,	)	
KMC Telecom V, Inc. and KMC Data LLC,	)	
for failure to pay intrastate access charges	)	Docket No. 041144-TP
pursuant to its interconnection agreement and	)	Filed: June 29, 2005
Sprint's tariffs and for violation of	)	
Section 364.16(3)(a), Florida Statutes.	)	

# REVISED NOTICE OF DEPOSITION UPON ORAL EXAMINATION

TO:

Sprint-Florida Incorporated Susan Masterton, Esq. 1313 Balirstone Road Tallahassee, Florida 32301

Please take notice that the deposition of **Christopher M. Schaffer**, witness for Sprint-Florida Incorporated will be taken pursuant to Rule 1.310, Florida Rules of Civil Procedures, and Rule 28-1065.206, Florida Administrative Code, at the Florida Public Service Commission, at the following time and place:

9:00 a.m., Wednesday, July 6, 2005 Room 362, Gunter Building Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

The telephone call-in number is (850) 921-2583.

Please bring with you copies of all the work papers or other materials used by you in the preparation of any testimony filed in this case or used by you in the preparation of any responses to discovery requests in this docket.

This deposition is being taken for the purposes of discovery, for use at final hearing, or for such other purposes as are permitted under the Florida Rules of Civil Procedure.

Please govern yourselves accordingly.

Floyd Self, Esq.

Messer, Caparello & Self, P.A.

215 S. Monroe Street, Suite 701

Tallahassee, FL 32302

(850) 222-0720

Edward A. Yorkgitis, Jr., Esq. Barbara A. Miller, Esq. Kelley Drye & Warren LLP 1200 19th Street, N.W. Washington, DC 20036

Attorneys for KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that KMC's Revised Notice of Deposition of Christopher M. Schaffer has been sent by Electronic Mail to Susan Masterton, Esq. at susan.masterton@mail.sprint.com, and that a copy has been sent by Electronic Mail to the following parties of record this 29<sup>th</sup> day of June, 2005.

Beth Keating, Esq. bkeating@psc.state.fl.us. General Counsel's Office, Room 370 Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Ms. Nancy Pruitt npruitt@psc.state.fl.us Division of Competitive Markets and Enforcement Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

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