

ORIGINAL

Matilda Sanders

From: Matthew Feil [mfeil@mail.fdn.com]
Sent: Wednesday, August 03, 2005 3:34 PM
To: Filings@psc.state.fl.us
Subject: RE: E-Filing for Docket No. 041464
Attachments: FDN Letter to Bayo Re Motion to Supplement Testimony.pdf

To: Division of the Commission Clerk and Administrative Services

Please find attached for filing in the captioned docket FDN Communications' Letter Regarding Motion to Supplement Testimony.

In accordance with the Commission's e-filing procedures, the following information is provided:

(a) The person responsible for this filing is:

Name: Matthew J. Feil, General Counsel
Address: FDN Communications
2301 Lucien Way, Ste. 200
Maitland, FL 32751
Phone No: 407-835-0460
Email: mfeil@mail.fdn.com

(b) Docket No. and Title: Docket No. 041464 -TP - Petition for Arbitration of Certain Unresolved Issues Associated with Negotiations for Interconnection, Collocation, and Resale Agreement with Florida Digital Network, Inc., d/b/a FDN Communications by Sprint-Florida, Incorporated

(c) The party on whose behalf the document is filed: Florida Digital Network, Inc. d/b/a FDN Communications

(d) Number of pages of the document: 1 page.

(e) Description of each document attached: FDN Communications' Letter Regarding Motion to Supplement Testimony.

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DOCUMENT NUMBER-DATE

07510 AUG-3 05

8/3/2005

FPSC-COMMISSION CLERK

August 3, 2005



ORIGINAL

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk
& Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 041464 Petition of Sprint-Florida, Inc. for Arbitration of an Interconnection Agreement with Florida Digital Network, Inc. Pursuant to Section 252 of the Telecommunications Filed June 28, 2005 Act of 1996

Dear: Ms: Bayo:

Be advised that Florida Digital Network, Inc., d/b/a FDN Communications ("FDN") agrees that its August 1st Motion to Accept Supplemental Testimony of Dr. August Ankum ("Motion to Accept Testimony") has been rendered moot by the Commission's vote at the August 2 Agenda whereby the Commission denied FDN's Omnibus Motion for Reconsideration and Motion to Revise Schedule. Therefore, the Commission need not rule on FDN's Motion to Accept Testimony.

At the hearing in the captioned matter, which starts tomorrow, FDN does not intend to move the testimony of Dr. Ankum (attached to the Motion to Accept Testimony) into the evidentiary record which the Commission will be relying on for making its decision in the docket, but FDN reserves any rights it may have for appellate purposes

Please feel free to contact me if you have any questions regarding this letter at 407-835-0300.

Sincerely,

A handwritten signature in black ink that reads "Matthew Feil". The signature is written in a cursive, flowing style.

Matthew Feil
General Counsel
FDN Communications

C: Parties & PSC Staff

LOCAL

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