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Messer, Caparello & Self
A Professional Association

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

October 5, 2005

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. 041269-TP

Dear Ms. Bayó:

Enclosed is the Instructions to Clerk filed in *NuVox Communications, Inc., et al., v. Florida Public Service Commission, et al.*, Case No. 4:05-cv-00189-SPM-AK.

Please acknowledge receipt of this document 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,



Robert J. Telfer, III

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____ RJT/amb
- OPC _____ Enclosures
- cc: Parties of Record
- RCA _____
- SCR _____
- SGA _____
- SEC 1
- OTH Lockard

DOCUMENT NUMBER: 1

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

NuVox Communications, Inc., <i>et al.</i> ,)	
)	
Plaintiffs,)	Case No. 4:05-cv-00189-SPM-AK
)	
v.)	
)	
Florida Public Service Commission, <i>et al.</i> ,)	
)	
Defendants.)	

INSTRUCTIONS TO CLERK

Plaintiffs NuVox Communications, Inc. and Xspedius Communications Corp., on behalf of itself and its operating subsidiaries, in accordance with the Joint Rule 26(f) Report filed by the parties on September 15, 2005, hereby submit these Instructions to the Clerk of the Florida Public Service Commission to request that the relevant portions of the record in the proceeding below, Docket No. 041269-TP, be forwarded to this Court.

The docket in that proceeding regards several issues and disputes that are not before the Court in this appeal. Thus, in order not to burden the record, Plaintiffs request that the Clerk to limit the record to the following documents:

<u>PSC DOCUMENT NO.</u>	<u>DESCRIPTION</u>
011752-04	BellSouth Petition to Establish Generic Interconnection Agreements
012504-04	Xspedius Petition to Intervene
012505-04	NuVox Petition to Intervene
012506-04	Joint Opposition to BellSouth Petition

01031-05	Order PSC-05-0121 Granting Intervention
01032-05	Order PSC-05-0122 Granting Intervention
01538-05	Order PSC-05-0171 Denying Motion to Dismiss
02141-05	Petition and Request for Emergency Relief
02226-05	XO Letter Endorsing Petition
02239-05	Letter with Page 12 and Exhibit C to Petition
02277-05	CompSouth Letter Supporting Petition
02286-05	Response to Petition
02306-05	US LEC Letter Supporting Petition
02450-05	AT&T Letter Supporting Petition
02913-05	Staff Recommendation
03321-05	Vote Sheet
03579-05	Transcript of Agenda Item
04404-05	Order PSC-05-0492 Denying Petitions

Plaintiffs also direct the Clerk to forward the following documents from Docket 040130-TP, which are referenced in the Complaint and in Document 03579-05:

07867-04	Joint Motion to Hold Proceeding in Abeyance
09064-04	Order PSC-04-0807 Granting Joint Motion

Respectfully submitted,

s/ Robert J. Telfer, III

Norman H. Horton, Jr., Esq.
Florida Bar No. 156386
Robert J. Telfer, III
Florida Bar No. 128694
MESSER, CAPARELLO & SELF, P.A.
215 South Monroe Street, Suite 701
Tallahassee, Florida 32301
(850) 222-0720 (voice)
(850) 224-4359 (facsimile)

John J. Heitmann, Esq. *
Stephanie A. Joyce, Esq.
KELLEY DRYE & WARREN LLP
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036
(202) 955-9600 (voice)
(202) 955-9792 (facsimile)

Counsel to NuVox Communications, Inc.
Xspedius Communications, LLC
Xspedius Management Co. of Jacksonville, LLC
Xspedius Management Co. Switched Services, LLC

**Admission pending*

October 5, 2005

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by U. S. Mail this 5th day of October, 2005.

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

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

Jack R. Reiter, Esq.
Adorno & Yoss LLP
2525 Ponce de Leon Blvd., Suite 400
Miami, FL 33134

Sean A. Lev, Esq.
Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC
1615 M Street, N.W., Suite 400
Washington, DC 20036

s/Robert J. Telfer, III
Norman H. Horton, Jr.