

ORIGINAL

Matilda Sanders

From: Fatool, Vicki [Vicki.Fatool@BellSouth.COM]
Sent: Monday, October 17, 2005 4:26 PM
To: Filings@psc.state.fl.us
Subject: 040130-TP BellSouth Telecommunications Inc.'s Supplemental Instructions to the Clerk of the FPSC
Importance: High
Attachments: 040130-T.pdf

CMP _____
 COM 3
 CTR _____
 ECR _____
 GCL 1
 OPC _____
 RCA _____
 SCR _____
 SGA _____
 SEC 1
 OTH Kump
 Lockard

- A. Vicki Fatool
 Legal Secretary to Nancy B. White and Manuel Gurdian
 BellSouth Telecommunications, Inc.
 150 South Monroe Street
 Suite 400
 Tallahassee, Florida 32301
 (305) 347-5560
vicki.fatool@bellsouth.com
- B. Docket No.: 040130-TP Joint Petition for Arbitration of NewSouth Communications Corp., NuVox Communications Corp., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC on Behalf of its Operating Subsidiaries Xspedius Management Co. Switched Services, LLC and Xspedius Management Co. of Jacksonville, LLC
- C. BellSouth Telecommunications, Inc.
 on behalf of James Meza, III
- D. 4 pages total (includes letter, certificate of service and pleading)
- E. BellSouth Telecommunications, Inc.'s Supplemental Instructions to the Clerk of the Florida Public Service Commission

.pdf

<<040130-T.pdf>>

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers.
 162

DOCUMENT NUMBER-DATE

10057 OCT 17 05

10/17/2005

FPSC-COMMISSION CLERK

JAMES MEZA III
Senior Regulatory Counsel

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0769

October 17, 2005

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

Re: Docket No.: 040130-TP
**Joint Petition for Arbitration of NewSouth Communications Corp., NuVox
Communications Corp., KMC Telecom V, Inc., KMC Telecom III LLC, and
Xspedius Communications, LLC on Behalf of its Operating Subsidiaries
Xspedius Management Co. Switched Services, LLC and Xspedius
Management Co. of Jacksonville, LLC**

Dear Ms. Bayó:

Enclosed is BellSouth Telecommunications, Inc.'s Supplemental Instructions to the Clerk of the Florida Public Service Commission, which we ask that you file in the captioned docket.

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

Sincerely,


James Meza III

Enclosures

cc: All Parties of Record
Jerry D. Hendrix
R. Douglas Lackey
Nancy B. White

DOCUMENT NUMBER + DATE

10057 OCT 17 '05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 040130-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and First Class U. S. Mail this 17th day of October, 2005 to the following:

Kira Scott
Jeremy Susac
Staff Counsels
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6216
jsusac@psc.state.fl.us
kscott@psc.state.fl.us

Jake E. Jennings (+)
Senior Vice President
Regulatory Affairs and Carrier Relations
Two North Main Center
Greenville, SC 29601
Tel. No. (864) 672-5877
Fax. No. (864) 672-5105
Atty. for NewSouth
jejennings@newsouth.com

Bo Russell, Vice President (+)
Regulatory and Legal Affairs SE
301 North Main Street, Suite 5000
Greenville, SC 29601
Tel. No. (864) 331-7323
Fax. No. (864) 331-1236
Atty. for NuVox

James C. Falvey (+)
Xspedius Comm./Xspedius Mgmt Co.
Sr. Vice President – Regulatory Dept.
14405 Laurel Place
Suite 200
Laurel, Maryland 20707
Tel. No. (301) 361-4298
Fax. No. (301) 361-7654
Atty. for Xspedius

John J. Heitmann (+)
Enrico C. Soriano (+)
Heather T. Hendrickson (+)
Stephanie Joyce (+)
KELLEY DRYE & WARREN LLP
1200 Nineteenth Street, N.W.
Suite 500
Washington, D.C. 20036
Tel. No. (205) 955-9600
Fax. No. (205) 955-9792
jheitmann@kelleydrye.com
esoriano@kelleydrye.com
hhendrickson@kelleydrye.com
sjoyce@kelleydrye.com

Norman H. Horton, Esq. (+)
MESSER CAPARELLO & SELF
215 South Monroe Street, Suite 701
Tallahassee, FL 32302
Tel. No. (850) 222-0720
Fax. No. (850) 224-4359
nhorton@lawfla.com


James Meza III

(+) Global protective agreement in place for all (9) states.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition To Establish Generic Docket To)	
Consider Amendments to Interconnection Agreements)	
Resulting from Changes In Law, by BellSouth)	Docket No. 041269-TP
Telecommunications, Inc.)	
)	

In re: Joint Petition by NewSouth Communications)	
Corp., Nuvox Communications, Inc., and Xspedius)	
Communications, LLC, on Behalf of Its Operating)	
Subsidiaries Xspedius Management Co. Switched)	Docket No. 040130-TP
Services, LLC and Xspedius Management Co. of)	
Jacksonville, LLC, For Arbitration of Certain Issues)	
Arising In Negotiation of Interconnection Agreement)	
with BellSouth Telecommunications, Inc.)	Filed: October 17, 2005
)	

**SUPPLEMENTAL INSTRUCTIONS TO THE
CLERK OF THE FLORIDA PUBLIC SERVICE COMMISSION**

Defendant BellSouth Telecommunications, Inc. (“BellSouth”) is a party in the appeal of the Florida Public Service Commission (“Commission”) above-referenced dockets, Nos. 041269-TP and 040130-TP, currently pending in the United States District Court for the Northern District of Florida, Tallahassee Division, Case No. 4:05-cv-00189-SPM-AK.

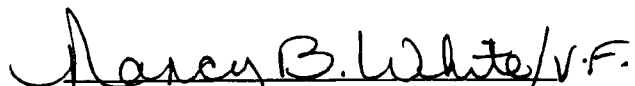
Pursuant to the Joint Rule 26(f) Report filed by the parties in the district court on September 15, 2005, the parties are required to file with the Commission their request for record materials. BellSouth hereby respectfully submits these Instructions to the Clerk to request that relevant portions of the Commission record be forwarded to the district court. The documents referenced below are in addition to those requested by plaintiff in its designations of October 5, 2005.


1. BellSouth requests that the Commission include for transmission to the district court all documents from PSC Docket No. 041269-TP beginning with the filing of BellSouth's Petition on November 1, 2004 (Document Number 11752-04), up to and including the Commission's order of May 5, 2005, PSC-05-0492-FOF-TP (Document Number 04404-05).

2. BellSouth also requests that the Commission include for transmission the following documents from Docket 040130-TP:

<u>PSC Document No.</u>	<u>Description</u>
00331-05	Direct Testimony of Kathy K. Blake with Exhibit KKB-1
01384-05	Rebuttal Testimony of Kathy K. Blake and Exhibit KKB-2
04630-05	Transcript, Volume 1 (Apr. 26, 2005) (with exhibits)
005563-05	BellSouth's Post-Hearing Brief

Respectfully submitted this 17th day of October, 2005


NANCY B. WHITE
MANUEL GURDIAN
c/o NANCY H. SIMS
150 South Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558


R. DOUGLAS LACKEY
JAMES MEZA III
BellSouth Center, Suite 4300
675 West Peachtree Street, N.E.
Atlanta, GA 30375
(404) 335-0769

ATTORNEYS FOR BELL SOUTH
TELECOMMUNICATIONS, INC.