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REDACTED

BellSouth Telecommunications, Inc.
FL Dkt. No. 041269-TP
Covad's 1st Request for Production
August 18, 2005
2nd SUPPLEMENTAL Item No. 1

PROPRIETARY

DOCUMENT NUMBER DATE

10434 OCT 27 05

CVD2ndSuppPODNe1000180
FPO COMMUNICATIONS CLERK

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**BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION**

In re:

GENERIC PROCEEDING TO EXAMINE ISSUES
RELATED TO BELLSOUTH'S
OBLIGATIONS TO PROVIDE UNBUNDLED
NETWORK ELEMENTS

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§
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§
§
§
§

Docket No. 19341-U

**BROADRIVER COMMUNICATION CORPORATION RESPONSE TO
BELLSOUTH TELECOMMUNICATIONS, INC.'S FIRST REQUESTS FOR ADMISSION**

BroadRiver Communication Corporation ("Broadriver") hereby respectfully submits the following responses to BellSouth Telecommunications, Inc.'s ("BellSouth") First Requests for Admission dated August 12, 2005.

Responses

1. Admit that you have fiber-based collocations at the following BellSouth wire centers:

RESPONSE:

RESPECTFULLY SUBMITTED this 4th day of October, 2005.

Robert Turkel

DIRECTOR OF LEGAL/REGULATORY
Braodriver Communication Corporation
1000 Hemphill Avenue
Atlanta, Georgia 30308
404-961-1003
404-961-1111 (facsimile)

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CERTIFICATE OF SERVICE

This is to certify that on this 4th day of October 2005, I served a copy of the foregoing,
upon the following known parties of record electronic mail

Consumers' Utility Counsel Division
2 Martin Luther King, Jr. Drive
Suite 356, East Tower
Atlanta, GA 30334
(404) 463-0223 o; (404) 651-9394 f

Suzanne W. Ockleberry, Esquire
Senior Regional Attorney
AT&T Communications
of the Southern States, Inc.
Law & Government Affairs
1230 Peachtree Street, N.E., 4 Floor
Atlanta, GA 30309-3579
[Counsel for AT&T]
(404) 810-7175 o; (404) 877-7645 f
sockleberry@att.com

Lisa S. Foshee
John T. Tyler
1025 Lenox Park Boulevard
Suite 6C01
Atlanta, Georgia 30319-5309
(404) 986-1718 o

Charles A. Hudak, Esquire
Charles V. Gerkin Jr., Esquire
Friend, Hudak & Harris, LLP
Three Ravinia Drive
Suite 1450
Atlanta, GA 30346-2131
[Counsel for Covad]
[Counsel for XO Communications]
[Counsel for AL-CALL, d/b/a ATC]
[Counsel for Digital Agent, LLC]
(770) 399-9500 o; (770) 395-0000 f

Daniel S. Walsh, Esquire
Attorney General's Office
Department of Law - State of Georgia
40 Capitol Avenue, S.W.
Atlanta, GA 30334-1300
(404) 657-2204 o; (404) 656-0677

d
William R. Atkinson, Esquire
Sprint Communications Company L.P.
3065 Cumberland Circle
Mailstop GAATLDO602
Atlanta, GA 30339
[Counsel for Sprint]
(404)649-4882 o; (404) 649-1652
bill.atkinson@mail.sprint.com

Stephen Louis A. Dillard, Esquire
James, Bates, Pope & Spivey, LLP
P. O. Box 4283
Macon, GA 31208
[Counsel for EZ Communications]
(478) 742-4280 o; (478) 742-8720 f

Charles E. Watkins, Esquire
Senior Counsel
Covad Communications Corporation
1230 Peachtree Street, N.E.
19 Floor Atlanta, GA 30309
[Counsel for Covad]
(404) 942-3492 o; (404) 3495 f

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Dana Shaffer, Esquire
Vice President, Regional Regulatory
Counsel
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(615) 777-7700 o; (615) 345-1564 f

Anne W. Lewis, Esquire
Strickland Brockington Lewis LLP
Midtown Proscenium - Suite 2000
1170 Peachtree Street, N.E.
Atlanta, GA 30309
[Counsel for NuVox]
[Counsel for TalkAmerica]
[Counsel for Xspedius]
[Counsel for KMC]
(678) 347-2204 o; (678) 347-2210 f

David I. Adelman, Esquire
Charles B. Jones III, Esquire
Frank D. LoMonte, Esquire
Sutherland Asbill & Brennan LLP
999 Peachtree Street, N.E.
Atlanta, GA 30309
[Counsel for CompSouth]
[Counsel for MCI]
[Counsel for ITC^DeltaCom]
(404) 853-8000 o; (404) 853-8806 f

Mr. Robert Turkel
Director of Legal/Regulatory
BroadRiver Communications Corp.
100 Hemphill Avenue
Atlanta, GA 30318
(404) 961-1003 o; (404) 961-1111 f

Mr. Greg Davis
Alma Telephone Company
101 Mercer Street
Post Office Box 2027
Alma, FA 3 1510-2027
[For AI-Call, Inc., d/b/a ATC]
(912) 632-3164 0; (912) 632-2588 f

Kennard B. Woods, Esquire
MCI, Inc.
Six Concourse Parkway Suite 600
Atlanta, GA 30328
[Counsel for MCI]
(770) 284-5497 0; (770) 284-5488 f

Newton M. Galloway, Esquire
Galloway & Lyndall, LLP
The Lewis Mills House
406 North Hill Street
Griffin, GA 30223
[Counsel for US LEC]
[Counsel for FDN Communications]
(770) 233-6230 o; (770) 233-6231 f

John J. Heitmann, Esquire
Brett Heather Freedson, Esquire
Scott A. Kassman, Esquire
Kelley Dry & Warren LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036
[Counsel for Cbeyond]
[Counsel for KMC, NuVox, NewSouth,
Xspedius]
(202) 955-9600 0; (202) 955-9792 f

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ITC^DeltaCom Communications, Inc.
7037 Old Madison Pike
Suite 400
Huntsville, AL 35806
(256) 382-3856 o; (256) 650-3969 f
[Counsel for ITC^DeltaCom]

Adam Kupetsky, Esquire
Regulatory Counsel
WilTel Communications, LLC
One Technology Center (TC-15)
100 South Cincinnati
Tulsa, OK 74103
(918) 547 2764 o; (918) 547 9446 f
[Counsel for WilTel Local Network]

Bill Magness
Casey, Gentz & Magness, L.L.P.
98 San Jacinto Blvd, Ste. 1400
Austin, TX 78701
(512) 480-9900 o; (512) 480-9200 f

Jonathan S. Marashlian, Esquire
The Helein Law Group, LLLP
8180 Greensboro Drive
Suite 700
McLean, VA 22102
(703) 714-1300 o; (703) 714-1330 f
[Counsel for Sail Telecom, Inc.]

R. Douglas Lackey
Andrew D. Shore
Meredith Mays
675 W. Peachtree Street, Suite 4300
Atlanta, GA 303075
(404) 335-0765

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Regulatory Affairs
1755 North Brown Road
Lawrenceville, Georgia 30043
Tel 678.985.7900
Fax 678.985.6213
www.kmctelecom.com

September 30, 2005

Meredith Mays
Senior Regulatory Counsel
BellSouth Telecommunications, Inc.
150 South Monroe Street
Tallahassee, Florida 32301

Re: BELLSOUTH'S FIRST SET OF INTERROGATORIES AND FIRST REQUESTS
FOR ADMISSIONS; DOCKET NO. 041269-TP

Dear Sir:

Please be advised that KMC Telecom Holding, Inc. ("KMC") withdrew from this docket on July 1, 2005. Accordingly, KMC is no longer a party and will not be responding to any discovery.

Sincerely,

A handwritten signature in cursive script that reads 'Mike Duke'.

Mike Duke
Director of Government Affairs
KMC Telecom

cc: Parties of record via email
Commission Clerk docket file

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From: Mays, Meredith
Sent: Monday, October 03, 2005 10:21 AM
To: 'Victoria.mandell@level3.com'; 'rick.thayer@level3.com'
Subject: Attached Files
Importance: High

Victoria and Rick,

John Hamman forwarded to me your contact information. BellSouth is seeking to confirm Level Three's fiber-based collocation arrangements, and I am attaching discovery that was sent to Level Three. We never received a response to the NC discovery, which was due some time ago, and would appreciate your written confirmation. If there is another person to whom we need to discuss this, please let me know.

Thank you,

Meredith Mays
Senior Regulatory Counsel
BellSouth Telecommunications, Inc.
404-335-0750

10/6/2005

CVD2ndSuppPODNo1000186

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)
) Docket No. 041269-TP
Petition to Establish Generic Docket to)
Consider Amendments to Interconnection)
Agreements Resulting From Changes of Law) Filed: September 23, 2005
_____)

**BELLSOUTH'S FIRST REQUESTS FOR ADMISSION TO
LEVEL 3 COMMUNICATIONS, L.L.C.**

BellSouth Telecommunications, Inc. ("BellSouth") hereby serves its first requests for admissions on Level 3 Communications, L.L.C. (hereinafter "Level 3"). These requests are to be answered under oath and within the timeframe required pursuant to governing rules and applicable orders in this docket.

Definitions and Instructions

The following definitions and instructions shall apply to these data requests:

1. If you deny any request for admission set forth herein or any sub-part thereof, set forth with specificity the basis for your denial or partial denial.
2. The terms "Network Telephone" and "you," "your," "yours," and "your company" shall all mean the entity served with these data requests and all affiliates and subsidiaries, including, but not limited to carriers that you have merged with or acquired that still do business under a different name.
3. The term "fiber-based collocation" shall have the meaning set forth in paragraph 102 of the FCC's *Triennial Review Remand Order*. As set forth there, the term refers to a collocation arrangement, with active power supply, that has a non-ILEC fiber-optic cable that both terminates at the collocation facility and leaves the wire center. The

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collocation arrangement may be obtained either pursuant to contract, tariff or, where appropriate, section 251 of the 1996 Act. The term shall included fixed-wireless collocation arrangements at a wire center if the carrier's alternative transmission facilities both terminate in and leave the wire center.

Requests for Admission

1. Admit that you have fiber-based collocation arrangements at the following BellSouth wire centers:

This 23rd day of September, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

NANCY B. WHITE
c/o Nancy Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558

R. DOUGLAS LACKEY
ANDREW D. SHORE
MEREDITH MAYS
675 W. Peachtree Street, Suite 4300
Atlanta, GA 303075
(404) 335-0765

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BEFORE THE
NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Generic Proceeding to Consider Amendments)
To Interconnection Agreements Between)
BellSouth Telecommunications, Inc. and) Docket No. P-55, Sub 1549
Competing Local Providers Due to)
Change of Law)

**BELLSOUTH'S FIRST SET OF DATA REQUESTS TO LEVEL 3
COMMUNICATIONS, L.L.C.**

BellSouth Telecommunications, Inc. ("BellSouth") hereby serves its first set of data requests on Level 3 Communications, L.L.C. (hereinafter "Level 3"). These requests are to be answered under oath and within the timeframe required pursuant to governing rules and applicable orders in this docket.

Definitions and Instructions

The following definitions and instructions shall apply to these data requests:

1. If you deny any request for admission set forth herein or any sub-part thereof, set forth with specificity the basis for your denial or partial denial.
2. The terms "Network Telephone" and "you," "your," "yours," and "your company" shall all mean the entity served with these data requests and all affiliates and subsidiaries, including, but not limited to carriers that you have merged with or acquired that still do business under a different name.
3. The term "fiber-based collocation" shall have the meaning set forth in paragraph 102 of the FCC's *Triennial Review Remand Order*. As set forth there, the term refers to a collocation arrangement, with active power supply, that has a non-ILEC fiber-

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optic cable that both terminates at the collocation facility and leaves the wire center. The collocation arrangement may be obtained either pursuant to contract, tariff or, where appropriate, section 251 of the 1996 Act. The term shall include fixed-wireless collocation arrangements at a wire center if the carrier's alternative transmission facilities both terminate in and leave the wire center.

Requests for Admission

I. Admit that you have fiber-based collocation arrangements at the following BellSouth wire centers:

This 8th day of August, 2005.

Edward L. Rankin, III
300 S. Brevard Street, Room 1521
P.O. Box 30188
Charlotte, NC 28230
(704) 417-8833

Andrew D. Shore
Meredith Mays
675 W. Peachtree Street, Suite 4300
Atlanta, GA 303075
(404) 335-0765

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CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2005, I served the foregoing data requests on the party to whom these data requests are directed via electronic mail, as follows:

Victoria Mandell
Level 3 Communications, L.L.C.
1025 Eldorado Boulevard
Broomfield, CO 80025
Victoria.mandell@level3.com

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-----Original Message-----

From: Mandell, Victoria [mailto:Victoria.Mandell@Level3.com]
Sent: Monday, October 03, 2005 6:58 PM
To: Mays, Meredith; Thayer, Rick
Subject: RE: Attached Files

Meredith,

I will have formal discovery responses sent to you in the next couple of days.
Thank you.
Vicky

Victoria R. Mandell
Regulatory Counsel
Level 3 Communications
1025 Eldorado Boulevard
Broomfield, Colorado 80021
tel. 720-888-2439
fax. 720-888-5134

-----Original Message-----

From: Mays, Meredith [mailto:Meredith.Mays@bellsouth.com]
Sent: Monday, October 03, 2005 8:21 AM
To: Mandell, Victoria; Thayer, Rick
Subject: Attached Files
Importance: High

Victoria and Rick,

John Hamman forwarded to me your contact information. BellSouth is seeking to confirm Level Three's fiber-based collocation arrangements, and I am attaching discovery that was sent to Level Three. We never received a response to the NC discovery, which was due some time ago, and would appreciate your written confirmation. If there is another person to whom we need to discuss this, please let me know.

Thank you,

Meredith Mays
Senior Regulatory Counsel
BellSouth Telecommunications, Inc.
404-335-0750

"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." 118

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-----Original Message-----

From: Sprong, Aimee [mailto:Aimee.Sprong@Level3.com]

Sent: Tuesday, October 04, 2005 2:46 PM

To: Mays, Meredith

Cc: Mandell, Victoria

Subject: Level 3's responses to Bellsouth's Data Requests (FL and NC)

Ms. Mays,

Please find attached Level 3's responses to Bellsouth's First Set of Data Requests for the states of FL and NC.

If you have any questions please feel free to contact either myself or Vicky Mandell.

Thank you,
Aimee Sprong

Aimee Lee Sprong
Level 3 Communications
720-888-6332

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**BEFORE THE
NORTH CAROLINA UTILITIES COMMISSION**

In the Matter of

Generic Proceeding to Consider Amendments)
To Interconnection Agreements Between)
BellSouth Telecommunications, Inc. and) Docket No. P-55, Sub 1549
Competing Local Providers Due to)
Change of Law)

**LEVEL 3 COMMUNICATIONS, LLC'S RESPONSE TO BELLSOUTH'S
FIRST DATA REQUESTS**

Level 3 Communications, LLC (hereinafter "Level 3") hereby serves its response to BellSouth Telecommunications, Inc.'s ("BellSouth") first set of data requests.

Requests for Admission

Request 1. Admit that you have fiber-based collocation arrangements at the following BellSouth wire centers:

Level 3 Response.

CONFIDENTIAL

From: Mays, Meredith
Sent: Thursday, October 06, 2005 10:33 AM
To: 'Stephen Murray; Mike Skrivan'
Subject: RE: LEGAL-#596089-v1-P-55_Sub_1549
_BellSouth's_First_Set_of_Data_Requests_to_Madison_River.DOC

Stephen,

The purpose of this email is to follow-up on yours below, as I did not hear from you by cob Tuesday.

Meredith Mays
404-335-0750

-----Original Message-----

From: Stephen Murray [mailto:murrays@madisonriver.net]
Sent: Monday, October 03, 2005 2:20 PM
To: Mike Skrivan; Mays, Meredith
Subject: RE: LEGAL-#596089-v1-P-55_Sub_1549
_BellSouth's_First_Set_of_Data_Requests_to_Madison_River.DOC

Thanks for the referral, Mike. I will try to respond by cob Tuesday.

Stephen V. Murray
Director, Regulatory Affairs
Madison River Communications, LLC
103 So. 5th Street
Mebane, NC 27302
919-563-8109
murrays@madisonriver.net

-----Original Message-----

From: Mike Skrivan
Sent: Monday, October 03, 2005 10:21 AM
To: 'Mays, Meredith'
Cc: Stephen Murray
Subject: RE: LEGAL-#596089-v1-P-55_Sub_1549_BellSouth's_First_Set_of_Data_Requests_to_Madison_River.DOC

I am forwarding this to Mr. Steve Murray, who just joined us today, but is experienced in dealing with Interconnection Agreements. He can be reached at (919) 563-8109 or at the e-mail in the cc box to this message.

Thanks,

Mike

-----Original Message-----

From: Mays, Meredith [mailto:Meredith.Mays@BellSouth.COM]
Sent: Monday, October 03, 2005 10:15 AM
To: skrivanm@madisonriver.net
Subject: LEGAL-#596089-v1-P-55_Sub_1549_BellSouth's_First_Set_of_Data_Requests_to_Madison_River.DOC
Importance: High

Mike,

Your name was forwarded to me by Tricia Wanner. BellSouth served Requests for Admission to Madison River in NC, and did not receive a response. The requests are attached.

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I would appreciate your response to these.

If these are better directed to another person, please let me know.

Meredith Mays
Sr. Regulatory Counsel
BellSouth Telecommunications, Inc.
404-335-0750

<<LEGAL-#596089-v1-P-55_Sub_1549_BellSouth's_First_Set_of_Data_Request
s_to_Madison_River.DOC>>

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. 163

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KELLEY DRYE & WARREN LLP
A LIMITED LIABILITY PARTNERSHIP

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(202) 955-9792
www.kelleydrye.com

JONATHAN E. CANIS
DIRECT LINE: (202) 955-9664
EMAIL: jcanis@kelleydrye.com

September 29, 2005

VIA OVERNIGHT COURIER

Meredith E. Mays
Senior Regulatory Counsel
BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, FL 32301

RECEIVED
SEP 30 2005

U.S. MAIL-REG. RELATIONS
TALLAHASSEE, FL

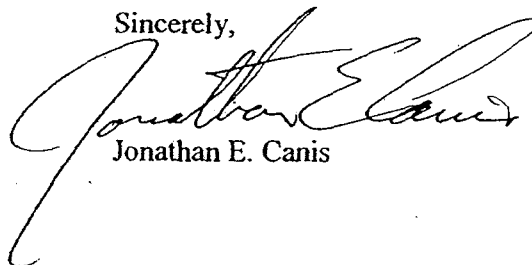
Re: Requests for Admission in FL PSC Docket No. 041269-TP

Dear Ms. Mays:

We are in receipt of BellSouth's First Request for Admission to Progress Telecom Corporation (now known as Progress Telecom, LLC) in Docket No. 041269-TP, dated September 23, 2005. By this letter we are informing you that Progress Telecom is not a party to the above-captioned docketed proceeding. Progress Telecom will therefore not be responding to the Request for Admission.

If you have any questions regarding this matter, please contact the undersigned.

Sincerely,



Jonathan E. Canis

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From: Mays, Meredith
Sent: Monday, October 03, 2005 10:31 AM
To: 'mdrayer@progresstelecom.com'
Subject: Attached Files

Importance: High

Michael,

Your name was forwarded to me by Shemega Goodman. BellSouth served Requests for Admission to Progress in NC and in FL. We did not receive a response in NC, which was due some time ago. The requests are attached.

I would appreciate your response to these.

If these are better directed to another person, please let me know.

Meredith Mays
Sr. Regulatory Counsel
BellSouth Telecommunications, Inc.
404-335-0750



LEGAL-#596105-v1
-P55_Sub_154...



LEGAL-#603144-v1
-041269-TP_Be...

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BEFORE THE
NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

Generic Proceeding to Consider Amendments)
To Interconnection Agreements Between)
BellSouth Telecommunications, Inc. and) Docket No. P-55, Sub 1549
Competing Local Providers Due to)
Change of Law)

BELLSOUTH'S FIRST SET OF DATA REQUESTS TO PROGRESS TELECOM CORPORATION

BellSouth Telecommunications, Inc. ("BellSouth") hereby serves its first set of data requests on Progress Telecom Corporation (hereinafter "Progress"). These requests are to be answered under oath and within the timeframe required pursuant to governing rules and applicable orders in this docket.

Definitions and Instructions

The following definitions and instructions shall apply to these data requests:

1. If you deny any request for admission set forth herein or any sub-part thereof, set forth with specificity the basis for your denial or partial denial.
2. The terms "Progress" and "you," "your," "yours," and "your company" shall all mean the entity served with these data requests and all affiliates and subsidiaries, including, but not limited to carriers that you have merged with or acquired that still do business under a different name.
3. The term "fiber-based collocation" shall have the meaning set forth in paragraph 102 of the FCC's *Triennial Review Remand Order*. As set forth there, the term refers to a collocation arrangement, with active power supply, that has a non-ILEC fiber-

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optic cable that both terminates at the collocation facility and leaves the wire center. The collocation arrangement may be obtained either pursuant to contract, tariff or, where appropriate, section 251 of the 1996 Act. The term shall include fixed-wireless collocation arrangements at a wire center if the carrier's alternative transmission facilities both terminate in and leave the wire center.

Requests for Admission

1. Admit that you have fiber-based collocation arrangements at the following BellSouth wire centers:

CONFIDENTIAL

This 8th day of August, 2005.

Edward L. Rankin, III
300 S. Brevard Street, Room 1521
P.O. Box 30188
Charlotte, NC 28230
(704) 417-8833

Andrew D. Shore
Meredith Mays
675 W. Peachtree Street, Suite 4300
Atlanta, GA 303075
(404) 335-0765

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CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2005, I served the foregoing data requests on the party to whom these data requests are directed via electronic mail, as follows:

Michael Drayer
Corporate Attorney
Progress Telecom Corporation
263 13th Avenue South
St. Petersburg, FL 33701
mdrayer@progresstelecom.com

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)	
)	Docket No. 041269-TP
Petition to Establish Generic Docket to)	
Consider Amendments to Interconnection)	
Agreements Resulting From Changes of Law)	Filed: September 23, 2005
_____)		

BELLSOUTH'S FIRST REQUESTS FOR ADMISSION TO PROGRESS
TELECOM CORPORATION

BellSouth Telecommunications, Inc. ("BellSouth") hereby serves its first requests for admission on Progress Telecom Corporation (hereinafter "Progress"). These requests are to be answered under oath and within the timeframe required pursuant to governing rules and applicable orders in this docket.

Definitions and Instructions

The following definitions and instructions shall apply to these data requests:

1. If you deny any request for admission set forth herein or any sub-part thereof, set forth with specificity the basis for your denial or partial denial.
2. The terms "Progress" and "you," "your," "yours," and "your company" shall all mean the entity served with these data requests and all affiliates and subsidiaries, including, but not limited to carriers that you have merged with or acquired that still do business under a different name.
3. The term "fiber-based collocation" shall have the meaning set forth in paragraph 102 of the FCC's *Triennial Review Remand Order*. As set forth there, the term refers to a collocation arrangement, with active power supply, that has a non-ILEC fiber-optic cable that both terminates at the collocation facility and leaves the wire center. The

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collocation arrangement may be obtained either pursuant to contract, tariff or, where appropriate, section 251 of the 1996 Act. The term shall include fixed-wireless collocation arrangements at a wire center if the carrier's alternative transmission facilities both terminate in and leave the wire center.

Requests for Admission

- I. Admit that you have fiber-based collocation arrangements at the following BellSouth wire centers:

CONFIDENTIAL

This 23rd day of September, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

NANCY B. WHITE
c/o Nancy Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558

R. DOUGLAS LACKEY
ANDREW D. SHORE
MEREDITH MAYS
675 W. Peachtree Street, Suite 4300
Atlanta, GA 303075
(404) 335-0765

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-----Original Message-----

From: Mays, Meredith
Sent: Tuesday, October 04, 2005 4:11 PM
To: 'Canis, Jonathan E.'
Cc: Drayer, Michael
Subject: RE: Progress Letter to BellSouth

Jon,

I appreciate your email. I was out of the office yesterday afternoon and this morning, and during my absence BellSouth obtained the attached subpoena in an abundance of caution.

We will be happy to withdraw the subpoena upon receipt of responses, and my only request is that Progress provide its answers by the 10/13 date contained within the subpoena.

Please let me know,

Meredith Mays
404-335-0750

-----Original Message-----

From: Canis, Jonathan E. [<mailto:JCanis@KelleyDrye.com>]
Sent: Monday, October 03, 2005 3:31 PM
To: Mays, Meredith
Cc: Drayer, Michael
Subject: RE: Progress Letter to BellSouth

Hi Meredith:

Progress is not a party to the ICA amendment proceedings in FL or NC, and will not become one. However, after consulting with my client, Progress has agreed to answer the BellSouth Requests for Admissions for both Florida and North Carolina. We will submit the information both to you and the respective state commissions, and we will be seeking proprietary treatment of the information. Given the upcoming holidays and CompTel conference, Progress will attempt to submit complete responses to you by October 17. We will inform you prior to that date if we need additional time. Please contact me directly if you have any questions.

-- Jon Canis

Jon Canis
Kelley Drye & Warren LLP
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036

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Ph: 202-955-9664
Fx: 202-955-9792
jcanis@kelleydrye.com

-----Original Message-----

From: Mays, Meredith [<mailto:Meredith.Mays@BellSouth.COM>]

Sent: Monday, October 03, 2005 10:59 AM
To: Drayer, Michael
Cc: Canis, Jonathan E.
Subject: RE: Progress Letter to BellSouth

Michael,

I see from your letter that Progress may not consider itself a party; however, the information to which we seek a response is relevant to this docket, and, if Progress is unwilling to respond, we will pursue third-party discovery by obtaining a subpoena. If you would be willing to furnish a letter response, then a subpoena will not be necessary.

Please let me know, I would be happy to discuss this with you if you prefer.

Meredith Mays
404-335-0750

-----Original Message-----

From: Drayer, Michael [<mailto:MDrayer@progresstelecom.com>]

Sent: Monday, October 03, 2005 10:49 AM
To: Mays, Meredith
Cc: JCanis@KelleyDrye.com
Subject: FW: Progress Letter to BellSouth

Meredith,

My apologies.

Here is the Florida response.

Michael Drayer, Esq.

Deputy General Counsel

and Assistant Secretary

Progress Telecom, LLC

100 Second Avenue South

Suite 400 South

St. Petersburg, FL 33701

CONFIDENTIAL

(727) 471-5440

(727) 471-5310 (fax)

mdrayer@progresstelecom.com

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-----Original Message-----

From: Canis, Jonathan E. [mailto:JCanis@KelleyDrye.com]
Sent: Wednesday, October 05, 2005 1:53 PM
To: Mays, Meredith
Subject: RE: Progress Letter to BellSouth

I'll check with the client.

Jon Canis
Kelley Drye & Warren LLP
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036
Ph: 202-955-9664
Fx: 202-955-9792
jcanis@kelleydrye.com

-----Original Message-----

From: Mays, Meredith [mailto:Meredith.Mays@BellSouth.COM]
Sent: Tuesday, October 04, 2005 4:11 PM
To: Canis, Jonathan E.
Cc: Drayer, Michael
Subject: RE: Progress Letter to BellSouth

Jon,

I appreciate your email. I was out of the office yesterday afternoon and this morning, and during my absence BellSouth obtained the attached subpoena in an abundance of caution.

We will be happy to withdraw the subpoena upon receipt of responses, and my only request is that Progress provide its answers by the 10/13 date contained within the subpoena.

Please let me know,

Meredith Mays
404-335-0750

-----Original Message-----

From: Canis, Jonathan E. [mailto:JCanis@KelleyDrye.com]
Sent: Monday, October 03, 2005 3:31 PM
To: Mays, Meredith
Cc: Drayer, Michael
Subject: RE: Progress Letter to BellSouth

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Hi Meredith:

Progress is not a party to the ICA amendment proceedings in FL or NC, and will not become one. However, after consulting with my client, Progress has agreed to answer the BellSouth Requests for Admissions for both Florida and North Carolina. We will submit the information both to you and the respective state commissions, and we will be seeking proprietary treatment of the information. Given the upcoming holidays and CompTel conference, Progress will attempt to submit complete responses to you by October 17. We will inform you prior to that date if we need additional time. Please contact me directly if you have any questions.

-- Jon Canis

Jon Canis
Kelley Drye & Warren LLP
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036
Ph: 202-955-9664
Fx: 202-955-9792
jcanis@kelleydrye.com

-----Original Message-----

From: Mays, Meredith [<mailto:Meredith.Mays@BellSouth.COM>]

Sent: Monday, October 03, 2005 10:59 AM
To: Drayer, Michael
Cc: Canis, Jonathan E.
Subject: RE: Progress Letter to BellSouth

Michael,

I see from your letter that Progress may not consider itself a party; however, the information to which we seek a response is relevant to this docket, and, if Progress is unwilling to respond, we will pursue third-party discovery by obtaining a subpoena. If you would be willing to furnish a letter response, then a subpoena will not be necessary.

Please let me know, I would be happy to discuss this with you if you prefer.

Meredith Mays
404-335-0750

-----Original Message-----

From: Drayer, Michael [<mailto:MDrayer@progresstelecom.com>]

Sent: Monday, October 03, 2005 10:49 AM
To: Mays, Meredith

CONFIDENTIAL

Cc: JCanis@KelleyDrye.com
Subject: FW: Progress Letter to BellSouth

Meredith,

My apologies.

Here is the Florida response.

Michael Drayer, Esq.

Deputy General Counsel

and Assistant Secretary

Progress Telecom, LLC

100 Second Avenue South

Suite 400 South

St. Petersburg, FL 33701

(727) 471-5440

(727) 471-5310 (fax)

mdrayer@progresstelecom.com

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 This E-mail message and any attachments have been scanned for viruses and are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened. However, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by Kelley Drye & Warren LLP for any loss or damage arising in any way from its use.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

FILE COPY

IN RE: Docket No. 041269-TP Petition to)
establish generic docket to consider)
amendments to interconnection agreements)
resulting from changes in law, by BellSouth)
Telecommunications, Inc.)

SUBPOENA DUCES TECUM
WITHOUT DEPOSITION

THE STATE OF FLORIDA

TO Alan Balakar, Progress Telecom Corporation, 100 Second Avenue, Suite 400/500 South St. Petersburg, FL 040792

YOU ARE COMMANDED to appear at the offices of BellSouth Telecommunications, Inc., 150 S. Monroe Street, Suite 400, Tallahassee, FL 32301, on October 13, 2005, at 12:00 p.m., or at such other time and place as may be mutually agreed upon by counsel, and to have with you at that time and place the following: Information set forth in the Attachment.

These items will be inspected and may be copied at that time. You will not be required to surrender the original items. You may comply with this subpoena by providing legible copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled date of production. You may mail or deliver the copies to the attorney whose name appears on this subpoena and thereby eliminate your appearance at the time and place specified above. You have the right to object to the production pursuant to this subpoena at any time before production by giving written notice to the attorney whose name appears on this subpoena. THIS WILL NOT BE A DEPOSITION. NO TESTIMONY WILL BE TAKEN.

YOU ARE SUBPOENAED by the following attorney to (1) appear as specified, or (2) furnish the records instead of appearing as provided above, and, unless excused from this subpoena by this attorney or the Commission, you shall respond to this subpoena as directed.

DATED on October 4, 2005.

Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission

(SEAL)

By: Kay Flynn
Kay Flynn, Chief, Bureau of Records

Nancy B. White
Attorney for BellSouth Telecommunications, Inc. c/o Nancy H. Sims,
150 S. Monroe Street, Suite 400
Tallahassee, FL 32301

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)	
)	Docket No. 041269-TP
Petition to Establish Generic Docket to)	
Consider Amendments to Interconnection)	
Agreements Resulting From Changes of Law)	Filed: September 23, 2005
<hr/>		

**BELLSOUTH'S FIRST REQUESTS FOR ADMISSION TO PROGRESS
TELECOM CORPORATION**

BellSouth Telecommunications, Inc. ("BellSouth") hereby serves its first requests for admission on Progress Telecom Corporation (hereinafter "Progress"). These requests are to be answered under oath and within the timeframe required pursuant to governing rules and applicable orders in this docket.

Definitions and Instructions

The following definitions and instructions shall apply to these data requests:

1. If you deny any request for admission set forth herein or any sub-part thereof, set forth with specificity the basis for your denial or partial denial.
2. The terms "Progress" and "you," "your," "yours," and "your company" shall all mean the entity served with these data requests and all affiliates and subsidiaries, including, but not limited to carriers that you have merged with or acquired that still do business under a different name.
3. The term "fiber-based collocation" shall have the meaning set forth in paragraph 102 of the FCC's *Triennial Review Remand Order*. As set forth there, the term refers to a collocation arrangement, with active power supply, that has a non-ILEC fiber-optic cable that both terminates at the collocation facility and leaves the wire center. The

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collocation arrangement may be obtained either pursuant to contract, tariff or, where appropriate, section 251 of the 1996 Act. The term shall include fixed-wireless collocation arrangements at a wire center if the carrier's alternative transmission facilities both terminate in and leave the wire center.

Requests for Admission

1. Admit that you have fiber-based collocation arrangements at the following BellSouth wire centers:

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This 23rd day of September, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

NANCY B. WHITE
c/o Nancy Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558

R. DOUGLAS LACKEY
ANDREW D. SHORE
MEREDITH MAYS
675 W. Peachtree Street, Suite 4300
Atlanta, GA 303075
(404) 335-0765



October 3, 2005

Patrick Turner
General Counsel
BellSouth
Suite 5200
1600 Williams Street
Columbia, S.C. 29201

Dear Mr. Turner:

Frank Mood our General Counsel has asked that I send you this letter.

Please be advised that SCANA Communications, Inc.

HT

3

Respectfully Yours,

Oscie O. Brown III
General Manager of Operations
SCANA Communications, Inc.

CONFIDENTIAL

From: Mays, Meredith
Sent: Saturday, October 01, 2005 9:26 AM
To: 'Cowin, Joe P [REG]'
Cc: Masterton, Susan S [LTD]; Atkinson, Bill R [REG]
Subject: RE: Sprint - Discovery

1 UNEs do not count. To be clear I provide below the full definition of fiber-based collocation:

"A fiber-based collocator is any carrier, unaffiliated with the incumbent LEC, that maintains a collocation arrangement in an incumbent LEC wire center, with active electrical power supply, and operates a fiber-optic cable or comparable transmission facility that (1) terminates at a collocation arrangement within the wire center; (2) leaves the incumbent LEC wire center premises; and (3) is owned by a party other than the incumbent LEC or any affiliate of the incumbent LEC, except as set forth in this paragraph. Dark fiber obtained from an incumbent LEC on an indefeasible right of use shall be treated as non-incumbent LEC fiber-optic cable. Two or more affiliated fiber-based collocators in a single wire center shall collectively be counted as a single fiber-based collocator. For purposes of this paragraph, the term affiliate is defined by 47 U.S.C. 153(a) and any relevant interpretation in this Title."

2 When you say or if there are any on the list that we provided that you do not think count, then we would like to have our folks talk to your folks to understand what is going on, so, we may need to set up a time to talk.

Meredith

-----Original Message-----

From: Cowin, Joe P [REG] [mailto:Joseph.Cowin@sprint.com]
Sent: Friday, September 30, 2005 5:08 PM
To: Mays, Meredith
Cc: Masterton, Susan S [LTD]; Atkinson, Bill R [REG]
Subject: RE: Sprint - Discovery

3 I have not forgotten you. For purposes of this question

5 I can tell you

-----Original Message-----

From: Mays, Meredith [mailto:Meredith.Mays@bellsouth.com]
Sent: Friday, September 30, 2005 3:34 PM
To: Cowin, Joe P [REG]
Subject: Sprint - Discovery

Joe,

This email is to follow-up on our conversation of this week, in which you advised that BellSouth could expect Sprint's responses to its NC and FL discovery by today.

Thank you,

Meredith Mays

10/6/2005

CVD2ndSuppPODNo1000218

Senior Regulatory Counsel
BellSouth Telecommunications, Inc.
404-335-0750

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118

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-----Original Message-----

From: Cowin, Joe P [REG] [mailto:Joseph.Cowin@sprint.com]

Sent: Monday, October 03, 2005 5:17 PM

To: Mays, Meredith

Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Bennett, Klinten L [NTK]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]

Subject: Discovery

Meredith,

The information below should address the inquiries from BellSouth in the pending generic arbitrations as to the questions regarding fiber based collocations for Sprint. We consider this information to be confidential carrier information and request that it be treated as such by BellSouth.

For the first five offices questions by your network individuals can be directed to Neila Wilson at 407-889-1520.

For the remaining offices questions can be directed to Klinten Bennett at 913-762-1149.

If you need additional information or clarification please let me know.

SPRINT CONFIDENTIAL CARRIER INFORMATION

1

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From: Mays, Meredith
Sent: Tuesday, October 04, 2005 5:07 PM
To: 'Cowin, Joe P [REG]'
Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Bennett, Klinten L [NTK]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]
Subject: RE: Discovery
Importance: High

Joe,

Thank you. It looks like we had a typo on one office. One office should have been listed as

1

Can you please email back with a response on the office above?

2

I think that is the one you attempted to answer as:

-----Original Message-----

From: Cowin, Joe P [REG] [mailto:Joseph.Cowin@sprint.com]
Sent: Monday, October 03, 2005 5:17 PM
To: Mays, Meredith
Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Bennett, Klinten L [NTK]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]
Subject: Discovery

Meredith,

The information below should address the inquiries from BellSouth in the pending generic arbitrations as to the questions regarding fiber based collocations for Sprint. We consider this information to be confidential carrier information and request that it be treated as such by BellSouth.

For the first five offices questions by your network individuals can be directed to Neila Wilson at 407-889-1520.

For the remaining offices questions can be directed to Klinten Bennett at 913-762-1149.

If you need additional information or clarification please let me know.

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3

10/6/2005

CVD2ndSuppPODNo1000221



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-----Original Message-----

From: Bennett, Klinten L [NTK] [mailto:Klinten.Bennett@sprint.com]
Sent: Tuesday, October 04, 2005 5:19 PM
To: Mays, Meredith; Cowin, Joe P [REG]
Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]
Subject: RE: Discovery

Joe/Meredith,

HNWNS

Thanks,

Klinten Bennett
Access Operations
Office: (913) 762-1149
PCS: (816) 645-8783

-----Original Message-----

From: Mays, Meredith [mailto:Meredith.Mays@bellsouth.com]
Sent: Tuesday, October 04, 2005 4:07 PM
To: Cowin, Joe P [REG]
Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Bennett, Klinten L [NTK]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]
Subject: RE: Discovery
Importance: High

Joe,

Thank you. It looks like we had a typo on one office. One office should have been listed as

6

Can you please email back with a response on the office above?

I think that is the one you attempted to answer as:

-----Original Message-----

From: Cowin, Joe P [REG] [mailto:Joseph.Cowin@sprint.com]
Sent: Monday, October 03, 2005 5:17 PM

7

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To: Mays, Meredith

Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Bennett, Klinten L [NTK]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]

Subject: Discovery

Meredith,

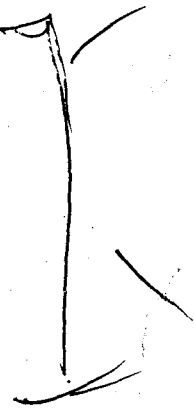
The information below should address the inquiries from BellSouth in the pending generic arbitrations as to the questions regarding fiber based collocations for Sprint. We consider this information to be confidential carrier information and request that it be treated as such by BellSouth.

For the first five offices questions by your network individuals can be directed to Neila Wilson at 407-889-1520.

For the remaining offices questions can be directed to Klinten Bennett at 913-762-1149.

If you need additional information or clarification please let me know.

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-----Original Message-----

From: Cowin, Joe P [REG] [mailto:Joseph.Cowin@sprint.com]
Sent: Tuesday, October 04, 2005 5:52 PM
To: Bennett, Klinten L [NTK]; Mays, Meredith
Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]
Subject: RE: Discovery

Thanks Klinten.

Meredith does this take care of it then?

-----Original Message-----

From: Bennett, Klinten L [NTK]
Sent: Tuesday, October 04, 2005 4:19 PM
To: Mays, Meredith; Cowin, Joe P [REG]
Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]
Subject: RE: Discovery

Joe/Meredith,

1
2
3
4
5

Thanks,

Klinten Bennett
Access Operations
Office: (913) 762-1149
PCS: (816) 645-8783

-----Original Message-----

From: Mays, Meredith [mailto:Meredith.Mays@bellsouth.com]
Sent: Tuesday, October 04, 2005 4:07 PM
To: Cowin, Joe P [REG]
Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Bennett, Klinten L [NTK]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]
Subject: RE: Discovery
Importance: High

Joe,

Thank you. It looks like we had a typo on one office. One office should have been listed as

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1

Can you please email back with a response on the office above?

2

I think that is the one you attempted to answer as:

-----Original Message-----

From: Cowin, Joe P [REG] [mailto:Joseph.Cowin@sprint.com]

Sent: Monday, October 03, 2005 5:17 PM

To: Mays, Meredith

Cc: Felton, Mark G [NTK]; Maples, Mike M [REG]; Wilson, Neila F [LTD]; Bennett, Klinten L [NTK]; Atkinson, Bill R [REG]; Masterton, Susan S [LTD]; Derrick, Jack H [LTD]

Subject: Discovery

Meredith,

The information below should address the inquiries from BellSouth in the pending generic arbitrations as to the questions regarding fiber based collocations for Sprint. We consider this information to be confidential carrier information and request that it be treated as such by BellSouth.

For the first five offices questions by your network individuals can be directed to Neila Wilson at 407-889-1520.

For the remaining offices questions can be directed to Klinten Bennett at 913-762-1149.

If you need additional information or clarification please let me known.

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From: Mays, Meredith
Sent: Monday, October 03, 2005 10:01 AM
To: 'Anthony Lingis'
Subject: LEGAL-#604481-v1-041269;_2nd_Set_of_Admissions_to_Telcove.DOC

Importance: High

Anthony,

I was just advised this morning by a contact with KMC that certain of KMC's fiber-based collocation arrangements were transferred to TelCove as of June 30, 2005.

Accordingly, I have an additional few sites that I would ask that TelCove confirm are fiber-based collocation as listed on the attached.

Thank you, and please call me if you have questions or if we need to discuss this at all.

Meredith Mays
Senior Regulatory Counsel
BellSouth Telecommunications, Inc.
404-335-0750



LEGAL-#604481-v1
-041269_2nd_S...

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:)
) Docket No. 041269-TP
Petition to Establish Generic Docket to)
Consider Amendments to Interconnection)
Agreements Resulting From Changes of Law) Filed: October 3, 2005
_____)

BELLSOUTH'S SECOND REQUESTS FOR ADMISSION TO TELCOVE INVESTMENT, LLC, TELCOVE OF FLORIDA, INC., AND TELCOVE OF JACKSONVILLE, INC.

BellSouth Telecommunications, Inc. ("BellSouth") hereby serves its second requests for admission on TelCove Investment, LLC, TelCove of Florida, Inc., and TelCove of Jacksonville, Inc. (hereinafter "TelCove"). These requests are to be answered under oath and within the timeframe required pursuant to governing rules and applicable orders in this docket.

Definitions and Instructions

The following definitions and instructions shall apply to these data requests:

1. If you deny any request for admission set forth herein or any sub-part thereof, set forth with specificity the basis for your denial or partial denial.

2. The terms "TelCove" and "you," "your," "yours," and "your company" shall all mean the entity served with these data requests and all affiliates and subsidiaries, including, but not limited to carriers that you have merged with or acquired that still do business under a different name.

3. The term "fiber-based collocation" shall have the meaning set forth in paragraph 102 of the FCC's *Triennial Review Remand Order*. As set forth there, the term refers to a collocation arrangement, with active power supply, that has a non-ILEC fiber-

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optic cable that both terminates at the collocation facility and leaves the wire center. The collocation arrangement may be obtained either pursuant to contract, tariff or, where appropriate, section 251 of the 1996 Act. The term shall include fixed-wireless collocation arrangements at a wire center if the carrier's alternative transmission facilities both terminate in and leave the wire center.

Requests for Admission

2. Admit that you have fiber-based collocation arrangements at the following BellSouth wire centers:

This 3rd day of October, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

NANCY B. WHITE
c/o Nancy Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558

R. DOUGLAS LACKEY
ANDREW D. SHORE
MEREDITH MAYS
675 W. Peachtree Street, Suite 4300
Atlanta, GA 303075
(404) 335-0750

CONFIDENTIAL

From: Mays, Meredith
Sent: Thursday, October 06, 2005 10:35 AM
To: 'Anthony Lingis'; Bixler, Micheale
Subject: RE: Attached Document

Anthony,

The purpose of this email is to follow-up with TelCove to see when we can expect responses to our discovery requests. Please let me know.

Thank you,

Meredith Mays
404-335-0750

-----Original Message-----

From: Anthony Lingis [mailto:anthony.lingis@telcove.com]
Sent: Friday, September 30, 2005 2:53 PM
To: Mays, Meredith
Subject: RE: Attached Document

Could you please define the meaning of "fiber-based"?

From: Mays, Meredith [mailto:Meredith.Mays@BellSouth.COM]
Sent: Friday, September 30, 2005 12:12 PM
To: Anthony Lingis
Subject: Attached Document
Importance: High

Anthony,

The list of collocations is contained within this document.

I appreciate your assistance with this. If there are other fiber-based collocations within the nine Southeastern states (AL, FL, GA, KY, LA, MS, NC, SC, and TN), that are not listed we would appreciate knowing that as well (if possible).

Meredith Mays
Senior Regulatory Counsel
BellSouth Telecommunications, Inc.
404-335-0750

<<LEGAL-#604316-v1-041269-TP;_Admissions_to_TelCove.DOC>>

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10/6/2005

CVD2ndSuppPODNo1000231

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John, Doc, (cc - Jim)

When can we expect to hear from you concerning the NC admissions that Xspedius indicated it wanted to discuss? We need to get this wrapped up.

Meredith
404-335-0750

-----Original Message-----

From: Falvey, Jim [mailto:Jim.Falvey@xspedius.com]
Sent: Thursday, September 29, 2005 5:12 PM
To: Heitmann, John; Mays, Meredith; Doc Horton
Cc: Shore, Andrew
Subject: RE: Attached Files

I neglected to attach my contact information. Thanks.

Jim Falvey
Sr. Vice President, Regulatory Affairs
Xspedius Communications, LLC
14405 Laurel Pl., Suite 200
Laurel, MD 20707-6102

ph: 301-361-4298
fax: 301-361-7654
e-mail: jim.falvey@xspedius.com

-----Original Message-----

From: Heitmann, John [mailto:JHeitmann@KelleyDrye.com]
Sent: Thursday, September 29, 2005 5:03 PM
To: Mays, Meredith; Falvey, Jim; Doc Horton
Cc: Shore, Andrew
Subject: RE: Attached Files

Meredith,

Thanks. Please serve Jim and all counsel of record with all requests in the future.

John

John J. Heitmann
Kelley Drye & Warren LLP
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036
Office (202) 955-9888
Fax (202) 955-9792
Mobile (703) 887-9920
jheitmann@kelleydrye.com

-----Original Message-----

From: Mays, Meredith [mailto:Meredith.Mays@BellSouth.COM]
Sent: Thursday, September 29, 2005 4:56 PM
To: Heitmann, John; Jim.Falvey@xspedius.com; Doc Horton

CONFIDENTIAL

Cc: Shore, Andrew
Subject: Attached Files

John,

1
2
Attached, as you requested, are resends of the discovery that has been previously propounded to Xspedius. I think there is a typo in one of the CLLI codes, which is listed as

Obviously, the NC responses were due some time ago.

Meredith

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CONFIDENTIAL

-----Original Message-----

From: Falvey, Jim [mailto:Jim.Falvey@xspedius.com]
Sent: Tuesday, October 04, 2005 10:14 AM
To: Heitmann, John; Mays, Meredith; Doc Horton
Cc: Shore, Andrew
Subject: RE: Attached Files

John, I'll contact Meredith and get this straightened out. Understand you are tied up.

-----Original Message-----

From: Heitmann, John [mailto:JHeitmann@KelleyDrye.com]
Sent: Tuesday, October 04, 2005 6:43 AM
To: Mays, Meredith; Falvey, Jim; Doc Horton
Cc: Shore, Andrew
Subject: RE: Attached Files

Meredith,

I will call later today, time permitting, or tomorrow morning (I am on the road).

Thanks, John

John J. Heitmann
Kelley Drye & Warren LLP
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036
Office (202) 955-9888
Fax (202) 955-9792
Mobile (703) 887-9920
jheitmann@kelleydrye.com

-----Original Message-----

From: Mays, Meredith [mailto:Meredith.Mays@BellSouth.COM]
Sent: Monday, October 03, 2005 10:18 AM
To: Falvey, Jim; Heitmann, John; Doc Horton
Cc: Shore, Andrew
Subject: RE: Attached Files

John, Doc, (cc - Jim)

When can we expect to hear from you concerning the NC admissions that Xspedius indicated it wanted to discuss? We need to get this wrapped up.

Meredith
404-335-0750

-----Original Message-----

From: Falvey, Jim [mailto:Jim.Falvey@xspedius.com]
Sent: Thursday, September 29, 2005 5:12 PM
To: Heitmann, John; Mays, Meredith; Doc Horton
Cc: Shore, Andrew
Subject: RE: Attached Files

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I neglected to attach my contact information. Thanks.

Jim Falvey
Sr. Vice President, Regulatory Affairs
Xspedius Communications, LLC
14405 Laurel Pl., Suite 200
Laurel, MD 20707-6102

ph: 301-361-4298
fax: 301-361-7654
e-mail: jim.falvey@xspedius.com

-----Original Message-----

From: Heitmann, John [mailto:JHeitmann@KelleyDrye.com]
Sent: Thursday, September 29, 2005 5:03 PM
To: Mays, Meredith; Falvey, Jim; Doc Horton
Cc: Shore, Andrew
Subject: RE: Attached Files

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John

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1200 19th Street, N.W., Suite 500
Washington, D.C. 20036
Office (202) 955-9888
Fax (202) 955-9792
Mobile (703) 887-9920
jheitmann@kelleydrye.com

-----Original Message-----

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Sent: Thursday, September 29, 2005 4:56 PM
To: Heitmann, John; Jim.Falvey@xspedius.com; Doc Horton
Cc: Shore, Andrew
Subject: Attached Files

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Meredith

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