

State of Florida



FPSC, CLK - CORRESPONDENCE
✓ Administrative Parties Consumer
DOCUMENT NO. 13024-05

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: Thursday, May 12, 2005

TO: Beth W. Salak, Director, Division of Competitive Markets & Enforcement

FROM: Kitessa Kennedy, Engineering Specialist II, Division of Competitive Markets & Enforcement

RE: Request to Copy Confidential Information - Docket No. 041114-TP

24 LK
On February 25, 2005, Staff requested to make seven copies of document 01419-05, parts 2 and 4 only, for use at the forthcoming hearing. Staff is revising this request to make four copies of this document, parts 1 through 5, 7, and 8, and one copy of the CD, part 6.

Additionally, staff previously requested authorization to make seven copies of the following documents: 13229-04 (part 1 only), 00328-05, and 01109-05. Staff has only made four copies and does not intend to make more than those four copies.

Finally, the table below shows additional documents of which staff is requesting to make four copies. Staff believes that these documents may be discussed during the proceeding, and they will be entered into the record as a confidential exhibit. As such, staff would like to have copies available for the Commissioners and appropriate witnesses to review. If there are any questions, please call Kit Kennedy at 413-6572.

Doc. No.	Description
01903-05	BellSouth response to Staff's Third Request for Production of Documents
03167-05	XO Late-filed Exhibit 6 to Deposition of BellSouth Panel
04197-05	BellSouth response to Staff's Fourth Set of Interrogatories (No. 58)
04339-05 4	BellSouth corrected response to Staff's Fourth Request for Production of Documents (No. 73)
04519-05	XO response to Staff's Fourth Set of Interrogatories (No. 29(a))
04521-05	BellSouth response to XO's Second Request for Production of Documents (No. 14)
04610-05	BellSouth response to Staff's Fifth Set of Interrogatories (No. 60)

cc: Marguerite Lockard
Della Fordham

ok
MK

Section 1 - Bureau of Records Completed

Docket No. 041114-TP Date Docketed: 09/22/2004 Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.
 Company: BellSouth Telecommunications, Inc.
XO Florida, Inc.

Official Filing Date: _____ Expiration: _____
 Last Day to Suspend: _____

Referred to:

CCA	CMP	ECR	FLL	(GCL)	MMS	PIF	RCA	SCR
	X			X				

('O' indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module A9

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff

Current CASR revision level

Due Dates
 Previous Current

Staff Counsel

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
 Hearing _____ Staff _____

Date filed with CCA: _____

Initials OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	

DOCUMENT NO.
13024-05

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: _____
 Date: _____

Section 1 - Bureau of Records Completes

Docket No. 041114-TP Date Docketed: 09/22/2004 Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.
 Company: BellSouth Telecommunications, Inc.
XO Florida, Inc.

Official Filing Date: _____ Expiration: _____
 Last Day to Suspend: _____

Referred to: _____
 ("O" indicates OPR)

CCA	CMP	ECR	FLL	(GCL)	MMS	PIF	RCA	SCR
	X			X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module A9

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	J Rojas	0	Current CASR revision level	Due Dates	
				Previous	Current
		1.	Revised CASR Due	NONE	10/22/2004
		2.			
		3.			
		4.			
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Staff Counsel	J Rojas	11.			
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OCRs (CMP)	K Kennedy, A Marsh	30.			
		31.			
		32.			
		33.			
		34.			
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		39.			
		40.			

Recommended assignments for hearing and/or deciding this case:
 Full Commission X Commission Panel ___
 Hearing ___ Staff ___
 Date filed with CCA: 09/30/2004
 Initials OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: 133/Am
 Date: 09/30/2004

Section 1 - Bureau of Records Complete

Docket No. 041114-TP Date Docketed: 09/22/2004 Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

Company: BellSouth Telecommunications, Inc.
XO Florida, Inc.

Official Filing Date: _____ Expiration: _____
Last Day to Suspend: _____

Referred to:

CCA	CMP	ECR	FLL	(GCL)	MMS	PIF	RCA	SCR
	X			X				

("O") indicates OPR

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module A9

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770*

Staff Assignments

OPR Staff	J Rojas	1	Current CASR revision level	Due Dates	
				Previous	Current
		1.	Order Establishing Procedure	NONE	11/12/2004
		2.	Revised CASR Due	10/22/2004	11/17/2004
		3.			
		4.			
		5.			
		6.			
		7.			
Staff Counsel	J Rojas	8.			
		9.			
		10.			
OCRs (CMP)	K Kennedy, A Marsh	11.			
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		29.			
Recommended assignments for hearing and/or deciding this case:		30.			
		31.			
		32.			
Full Commission <u>X</u> Commission Panel _____		33.			
Hearing _____ Staff _____		34.			
		35.			
Date filed with CCA: <u>10/21/2004</u>		36.			
		37.			
Initials OPR _____		38.			
Staff Counsel _____		39.			
		40.			

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: B.B. / [Signature]
Date: 10/21/2004

Section 1 - Bureau of Records Completes

Docket No. 041114-TP Date Docketed: 09/22/2004 Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

Company: BellSouth Telecommunications, Inc.
XO Florida, Inc.

Official Filing Date: _____
Last Day to Suspend: _____

Expiration: _____

Referred to: _____
("O" indicates OPR)

CCA	CMP	ECR	FLL	(GCL)	MMS	PIF	RCA	SCR
	X			X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module A9

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

			Due Dates	
			Previous	Current
<u>OPR Staff</u>	<u>J Rojas</u>	<input type="checkbox"/> 1	<u>Current CASR revision level</u>	
		1.	<u>Order Establishing Procedure</u>	<u>11/12/2004</u> <u>12/07/2004</u>
		2.	<u>Revised CASR Due</u>	<u>11/17/2004</u> <u>12/08/2004</u>
		3.		
		4.		
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		6.		
		7.		
<u>Staff Counsel</u>	<u>J Rojas</u>	8.		
		9.		
		10.		
<u>OCRs (CMP)</u>	<u>K Kennedy, A Marsh</u>	11.		
		12.		
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		36.		
		37.		
		38.		
		39.		
		40.		

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
Hearing Staff

Date filed with CCA: 11/17/2004

Initials OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/hw
Date: Pending 11/18/04 per Kay

Section 1 - Bureau of Records Completes

Docket No. 041114-TP Date Docketed: 09/22/2004 Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

Company: BellSouth Telecommunications, Inc.
XO Florida, Inc.

Official Filing Date: _____ Expiration: _____

Last Day to Suspend: _____

Referred to:

("O" indicates OPR)

CCA	CMP	ECR	FLL	(GCL)	MMS	PIF	RCA	SCR
	X			X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module A9

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	J Rojas	3	Current CASR revision level	Due Dates	
				Previous	Current
		1.	Direct Testimony & Exhibits (All)	NONE	12/13/2004
		2.	Rebuttal Testimony & Exhibits (All)	NONE	01/20/2005
		3.	Prehearing Statements	NONE	01/24/2005
		4.	Prehearing	NONE	02/07/2005
		5.	Discovery Actions Complete	NONE	02/21/2005
		6.	Hearing	NONE	03/03/2005
		7.	Briefs Due	NONE	03/17/2005
Staff Counsel	J Rojas	8.	Revised CASR Due	12/08/2004	04/05/2005
		9.			
		10.			
OCRs (CMP)	K Kennedy, A Marsh	11.			
		12.			
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		29.			
Recommended assignments for hearing and/or deciding this case:		30.			
		31.			
		32.			
Full Commission <u>X</u> Commission Panel _____		33.			
Hearing _____ Staff _____		34.			
		35.			
Date filed with CCA: <u>11/17/2004</u>		36.			
		37.			
Initials OPR _____		38.			
Staff Counsel _____		39.			
		40.			

Section 3 - Chairman Completes

Assignments are as follows: CSRA

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: B3/Bm
Date: 11/18/2004

Case Scheduling/Rescheduling Advice

Last Revised 11/23/2004 at 13:20

Page 1 of 1

Printed on 11/23/2004 at 14:29

To: <input checked="" type="checkbox"/> Commissioner Deason <input checked="" type="checkbox"/> Commissioner Jaber <input type="checkbox"/> Commissioner Bradley <input checked="" type="checkbox"/> Commissioner Davidson <input checked="" type="checkbox"/> Executive Director <input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Deputy Executive Director/EXA <input checked="" type="checkbox"/> General Counsel Director <input type="checkbox"/> Auditing & Safety Director <input checked="" type="checkbox"/> Comm. Clerk & ADM Services <input checked="" type="checkbox"/> Competitive Markets/Enforcement <input checked="" type="checkbox"/> Consumer Affairs Director	<input type="checkbox"/> Economic Regulation Director <input type="checkbox"/> External Affairs Director <input checked="" type="checkbox"/> Court Reporter <input checked="" type="checkbox"/> Staff Contact - Anne Marsh
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From: Office of Chairman Braulio Baez

Docket Number: 041114-TP

Docket Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference		02/07/2005	Tallahassee, Room 148	1:30 PM - 3:00 PM
Hearing		03/03/2005	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Current Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		
		X	X		X		

Prehearing Officer

Commissioners						
BZ	DS	JB	BD	DV	ADM	

Commissioners						
BZ	DS	JB	BD	DV	ADM	
	X					

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: OEP PSC-04-1147-PCO-TP. The new Commissioner will replace Commissioner Jaber on the panel on 1/4/05.

Case Scheduling/Rescheduling Advice

Last Revised 03/03/2005 at 10:24

Page 1 of 1

Printed on 03/03/2005 at 10:29

To: Commissioner Deason Deputy Executive Director/EXA Economic Regulation Director
 Commissioner Bradley General Counsel Director External Affairs Director
 Commissioner Davidson Auditing & Safety Director Court Reporter
 Commissioner Edgar Comm. Clerk & ADM Services Staff Contact - Anne Marsh
 Executive Director Competitive Markets/Enforcement
 Public Information Officer Consumer Affairs Director

From: Office of Chairman Braulio Baez

Docket Number: 041114-TP

Docket Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Hearing	03/03/2005	05/19/2005	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Current Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	DV	ED		

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	DV	ED		
		X		X	X		

Prehearing Officer

Commissioners					
BZ	DS	BD	DV	ED	ADM

Commissioners					
BZ	DS	BD	DV	ED	ADM
	X				

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: OEP PSC-04-1147-PCO-TP.

Section 1 - Bureau of Records Complete

Docket No. 041114-TP Date Docketed: 09/22/2004 Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNES; and request for expedited processing.

Company: BellSouth Telecommunications, Inc.
XO Florida, Inc.

Official Filing Date: _____ Expiration: _____

Last Day to Suspend: _____

Referred to:

("O" indicates OPR)

CCA	CMP	ECR	FLL	(GCL)	MMS	PIF	RCA	SCR
	X			X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module A9

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	J Rojas	4	Current CASR revision level	Due Dates	
				Previous	Current
		1.	Discovery Actions Complete	02/21/2005	05/09/2005
		2.	Hearing 5/19/05 (3/3/05 canceled)	03/03/2005	05/19/2005
		3.	Briefs Due	03/17/2005	06/02/2005
		4.	Revised CASR Due	03/10/2005	06/10/2005
		5.			
		6.			
		7.			
Staff Counsel	J Rojas	8.			
		9.			
		10.			
OCRs (CMP)	K Kennedy, A Marsh	11.			
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Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel X
Hearing _____ Staff _____

Date filed with CCA: 03/15/2005

Initials OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows: CSKA

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	DV	ED		
		X		X	X		

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	DV	ED	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/rw
Date: 03/15/2005

Case Scheduling/Rescheduling Advice

Last Revised 05/13/2005 at 11:45

Page 1 of 1

Printed on 05/13/2005 at 12:00

To:

<input checked="" type="checkbox"/> Commissioner Deason	<input checked="" type="checkbox"/> Deputy Executive Director/EXA	<input type="checkbox"/> Economic Regulation Director
<input type="checkbox"/> Commissioner Bradley	<input checked="" type="checkbox"/> General Counsel Director	<input type="checkbox"/> External Affairs Director
<input checked="" type="checkbox"/> Commissioner Davidson	<input type="checkbox"/> Auditing & Safety Director	<input checked="" type="checkbox"/> Court Reporter
<input checked="" type="checkbox"/> Commissioner Edgar	<input checked="" type="checkbox"/> Comm. Clerk & ADM Services	<input checked="" type="checkbox"/> Staff Contact - Anne Marsh
<input checked="" type="checkbox"/> Executive Director	<input checked="" type="checkbox"/> Competitive Markets/Enforcement	<input type="checkbox"/>
<input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Consumer Affairs Director	<input type="checkbox"/>

From: Office of Chairman Braulio Baez

Docket Number: 041114-TP

Docket Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Hearing	03/03/2005	05/19/2005	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Hearing Officers

Former Assignments

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	DV	ED		
				1			

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	DV	ED		
		X			X		

Prehearing Officer

Commissioners					
BZ	DS	BD	DV	ED	ADM

Commissioners					
BZ	DS	BD	DV	ED	ADM
	X				

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: CSRA issued to reflect removal of Commissioner Davidson from panel.

Section 1 - Bureau of Records Completes

Docket No. 041114-TP Date Docketed: 09/22/2004 Title: **Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.**
 Company: **BellSouth Telecommunications, Inc.**
XO Florida, Inc.

Official Filing Date: _____ Expiration: _____
 Last Day to Suspend: _____

Referred to: _____
 ("O" indicates OPR)

CCA	CMP	ECR	FLL	(GCL)	MMS	PIF	RCA	SCR
	X			X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

<u>Program Module</u> A9	WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION:(850) 413-6770		
<u>Staff Assignments</u>			Due Dates
<u>OPR Staff</u> <u>J Rojas</u>	4	Current CASR revision level	Previous Current
	1.	Discovery Actions Complete	02/21/2005 05/09/2005
	2.	Hearing 5/19/05 (3/3/05 canceled)	03/03/2005 05/19/2005
	3.	Transcript of Hearing Due	NONE 05/26/2005
	4.	Briefs Due	03/17/2005 06/02/2005
	5.	Revised CASR Due	03/10/2005 06/10/2005
	6.		
	7.		
<u>Staff Counsel</u> <u>J Rojas</u>	8.		
	9.		
<u>OCRs (CMP)</u> <u>K Kennedy, A Marsh</u>	10.		
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	29.		
Recommended assignments for hearing and/or deciding this case:	30.		
	31.		
	32.		
Full Commission _____ Commission Panel <u>X</u>	33.		
Hearing _____ Staff _____	34.		
	35.		
Date filed with CCA: <u>05/16/2005</u>	36.		
	37.		
Initials OPR _____	38.		
Staff Counsel _____	39.		
	40.		

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	DV	ED		
		X			X		

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	DV	ED	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: 13B/hmw
 Date: 05/16/2005

Section 1 - Bureau of Records Completes

Docket No. 041114-TP Date Docketed: 09/22/2004 Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.
 Company: BellSouth Telecommunications, Inc.
XO Florida, Inc.

Official Filing Date: _____ Expiration: _____
 Last Day to Suspend: _____
 Referred to: _____
 ("O" indicates OPR)

CCA	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
	X		X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	Staff Assignments	Due Dates	Due Dates	
			Previous	Current
	<u>L Fordham</u>	<u>5</u> Current CASR revision level		
		1. <u>Discovery Actions Complete</u>	<u>02/21/2005</u>	<u>05/09/2005</u>
		2. <u>Briefs Due</u>	<u>03/17/2005</u>	<u>06/02/2005</u>
		3. <u>Staff Recommendation</u>	<u>SAME</u>	<u>12/08/2005</u>
		4. <u>Agenda</u>	<u>SAME</u>	<u>12/20/2005</u>
		5. <u>Standard Order</u>	<u>NONE</u>	<u>01/09/2006</u>
		6. <u>Close Docket or Revise CASR</u>	<u>SAME</u>	<u>01/20/2006</u>
		7. _____		
<u>Staff Counsel</u>	<u>L Fordham</u>	8. _____		
		9. _____		
<u>OCRs (CMP)</u>	<u>K Kennedy, A Marsh</u>	10. _____		
		11. _____		
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		40. _____		

Recommended assignments for hearing and/or deciding this case:
 Full Commission _____ Commission Panel X
 Hearing _____ Staff _____
 Date filed with CCA: 12/01/2005
 Initials OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BD	DS	BZ	ED	AR		
		X		X			

Prehearing Officer

Commissioners					ADM
BD	DS	BZ	ED	AR	
	X				

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BIB/Amc
 Date: 12/01/2005

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION
CLERK & ADMINISTRATIVE
SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

September 27, 2004

Vicki Gordon Kaufman, Attorney
McWhirter Reeves McGlothlin Davidson
Kaufman & Arnold, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301

Re: Docket No. 041114-TP

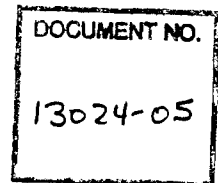
Dear Ms. Kaufman:

This will acknowledge receipt of a complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing, which was filed in this office on September 22, 2004, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Bureau of Records

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STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



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Public Service Commission

NOTICE OF COMPLAINT

TO

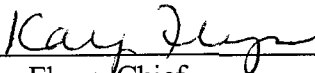
BELLSOUTH TELECOMMUNICATIONS, INC.

Re: Docket No. 041114-TP – Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

You are hereby notified that the above complaint, a copy of which is attached, was filed with this Commission on September 22, 2004.

You may respond to this complaint by forwarding a response to this Division, with a copy to the complainant.

By **DIRECTION** of the Florida Public Service Commission, this 24th day of September, 2004.



Kay Flynn, Chief
Bureau of Records

KF/mas
Attachment

cc: Office of Public Counsel
Office of General Counsel
Division of Competitive Markets & Enforcement

I:\Records\Complaint.doc



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: February 10, 2005

TO: Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services

RE: DOCKET NO. 041114-TP, PREHEARING HELD 02/07/05.

RE: COMPLAINT OF XO FLORIDA, INC. AGAINST BELLSOUTH TELECOMMUNICATIONS, INC. FOR ALLEGED REFUSAL TO CONVERT CIRCUITS TO UNES; AND REQUEST FOR EXPEDITED PROCESSING.

DOCUMENT No: 01425-05, 02/09/05

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMP

Acknowledged BY:

A handwritten signature in black ink, appearing to be "JF".

JF/rIm

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

RECEIVED-FPSC
FEB 25 AM 11 10
COMMISSION
CLERK

DATE: February 24, 2005

TO: Beth W. Salak, Director, Division of Competitive Markets & Enforcement

FROM: Kitessa Kennedy, Engineering Specialist II, Division of Competitive Markets & Enforcement *KSK*

RE: Request to Copy Confidential Information - Docket No. 041114-TP

This is a revised request to make seven copies of confidential document numbers ~~13128-04~~⁷, ~~13229-04~~ (part 1 only), 00328-05, 01109-05, and 01419-05 (parts 2 and 4). Staff believes that these documents may be discussed during the proceeding and will be entered into the record as a confidential exhibit. As such, staff would like to have copies available for the Commissioners and appropriate witnesses to review. This revision changes the February 23, 2005 request. If there are any questions, please call Kit Kennedy at 413-6572.

cc: Kay Flynn

FPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
 DOCUMENT NO. 13024-05
 DISTRIBUTION: _____

(only 3 cc's) of DNS
7 cc's of CDs (13128-04)
 7

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: February 23, 2005
TO: Beth W. Salak, Director, Division of Competitive Markets & Enforcement
FROM: Kitessa Kennedy, Engineering Specialist II, Division of Competitive Markets & Enforcement
RE: Request to Copy Confidential Information - Docket No. 041114-TP

This is a request to make seven copies of confidential document numbers 13128-04, 13229-04 (part 1 only), 00045-05, 00328-05, 00729-05, 01109-05, and 01419-05 (part 4 only). Staff believes that these documents may be discussed during the proceeding and will be entered into the record as a confidential exhibit. As such, staff would like to have copies available for the Commissioners and appropriate witnesses to review. If there are any questions, please call Kit Kennedy at 413-6572.

cc: Kay Flynn

A handwritten signature in black ink, appearing to be "Kit Kennedy", written over a diagonal line that crosses the page.

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: February 28, 2005
TO: Beth W. Salak, Director, Division of Competitive Markets & Enforcement
FROM: Kitessa Kennedy, Engineering Specialist II, Division of Competitive Markets & Enforcement
RE: Request to Copy Confidential Information - Docket No. 041114-TP

This is a request to make four copies of confidential document numbers 01952-05, 01960-05, 01985-05, and 01996-05. Staff believes that these documents may be discussed during the proceeding and will be entered into the record as a confidential exhibit. As such, staff would like to have copies available for the Commissioners and appropriate witnesses to review. If there are any questions, please call Kit Kennedy at 413-6572.

cc: Kay Flynn

FPSC, CLK - CORRESPONDENCE
 Administrative Parties Consumer
DOCUMENT NO. 13024-05
DISTRIBUTION: CCA

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON
LISA POLAK EDGAR



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BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

February 28, 2005

Vicki Gordon Kaufman, Esquire
Moyle Flanigan Katz Raymond & Sheehan, PA
The Perkins House
118 North Gadsden Street
Tallahassee, Florida 32301

Re: Docket No. 041114-TP - Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

Dear Ms. Kaufman:

Pursuant to your e-mail request received today, enclosed is a copy of Confidential Document Nos. 01960-05 and 01985-05. These confidential documents are the telephonic deposition with Exhibit No. 3 of Gary Case and deposition with Exhibit Nos. XO-7 through XO-12 of Michael E. Willis and Shelley W. Padgett. It is my understanding XO and BellSouth have a non-disclosure agreement pertaining to confidential documents in the above referenced docket, which allows you to receive these copies.

Please sign below to indicate receipt of this document.

Sincerely,

Handwritten signature of Kay Flynn.

Kay Flynn, Chief
Bureau of Records

KF/mhl
Enclosure

cc: Jason Rojas, Office of the General Counsel
Kitessa Kennedy, Division of Competitive Markets and Enforcement

SIGNED FOR BY DATE 3/1/05

Marguerite Lockard

From: Kay Flynn
Sent: Monday, February 28, 2005 3:37 PM
To: 'Vicki Gordon Kaufman'
Cc: dana.shaffer@xo.com; Marguerite Lockard; Jason Rojas
Subject: RE: 041114

Thanks, Vicki. With this information, we will be able to release the confidential documents to you.

Kay

From: Vicki Gordon Kaufman [mailto:vkaufman@moylelaw.com]
Sent: Monday, February 28, 2005 3:38 PM
To: Kay Flynn
Cc: dana.shaffer@xo.com
Subject: 041114

Hi Kay: This will confirm that I still represent XO Communications, Inc. at my new firm. By copy of this email to Ms. Shaffer at Regulatory Counsel at XO, I also confirm my representation so that I may pick up the confidential depositions. If you need anything further, let me know. Thanks for your help.

Vicki Gordon Kaufman
Moyle Flanigan Katz Raymond & Sheehan, PA
The Perkins House
118 North Gadsden Street
Tallahassee, Florida 32301
850.681.3828
850.681.8788 (Fax)
vkaufman@moylelaw.com

Marguerite Lockard

From: Vicki Gordon Kaufman [vkaufman@moylslaw.com]
Sent: Monday, February 28, 2005 9:17 AM
To: Kay Flynn, Marguerite Lockard
Cc: Linda Boles
Subject: 041114

Kay & Margurite

Two depositions were taken in the above case - Gary Case & Willis & Padgett (panel). Both had confidential portions. The court reporter says I have to get the confidential parts from you. I will be over there this am and would like to pick them up. I am a party (rep XO) and have an NDA with Bell. Thanks for your help.

Vicki Gordon Kaufman
Moyle Flanigan Katz Raymond & Sheehan, PA
The Perkins House
118 North Gadsden Street
Tallahassee, Florida 32301
905.681.3828
905.681.8788 (Fax)
vkaufman@moylslaw.com

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON
LISA POLAK EDGAR



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
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DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

March 2, 2005

Ms. Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

Re: Docket No. 041114-TP - Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

Dear Ms. Sims:

Pursuant to your e-mail request received today, enclosed is a copy of Confidential Document No. 01960-05. This confidential document is the telephonic deposition with Exhibit No. 3 of Gary Case. It is my understanding BellSouth has signed a protective agreement with XO, which allows you to receive this confidential document.

Please sign below to indicate receipt of this document.

Sincerely,

A handwritten signature in black ink, appearing to read "Kay Flynn".

Kay Flynn, Chief
Bureau of Records

KF/mhl
Enclosure

cc: Jason Rojas, Office of the General Counsel
Kitessa Kennedy, Division of Competitive Markets and Enforcement

SIGNED FOR BY

A handwritten signature in black ink, appearing to read "Nancy H. Sims".

DATE

3/3/05

Marguerite Lockard

From: Kay Flynn
Sent: Wednesday, March 02, 2005 7:30 AM
To: Nancy Sims; Marguerite Lockard
Cc: Jason Rojas; vkaufman@moylelaw.com; Meza, James
Subject: RE: Docket No. 041114-TP XO Complaint Deposition Transcript

Nancy,

We'll give your office a call as soon as the copy is ready.

Kay

From: Nancy Sims
Sent: Tuesday, March 01, 2005 4:56 PM
To: Kay Flynn
Cc: Jason Rojas; vkaufman@moylelaw.com; Meza, James
Subject: Docket No. 041114-TP XO Complaint Deposition Transcript

Kay,

As discussed with you earlier, this is to request a copy of the confidential version of the deposition transcript of XO's witness Gary Case in Docket No. 041114-TP. BellSouth has signed a protective agreement with XO. We have already received a copy of the nonconfidential version.

We would like to pick this up tomorrow as soon as you are able to have it available.

Thank you for your assistance.
Nancy Sims
BellSouth
Director - Regulatory Relations
222-1201

The Law Offices of
**MOYLE
FLANIGAN
KATZ
RAYMOND
& SHEEHAN
P.A.**

**THE PERKINS HOUSE
118 NORTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32301**

**TELEPHONE (850) 681-3828
FACSIMILE (850) 681-8788**

**OTHER OFFICES:
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041338
050111

FAX TRANSMISSION COVER SHEET

To: Records & Reporting
Firm/Company: PSC
Fax Number: 413.7118

Sender: Vicki Gordon Kaufman
Direct Line: (850) 681-3828

Date: March 3, 2005

MESSAGE

Attached is a list of the dockets where you have indicated which lawyers are involved. I have circled my name where I will continue to represent the client at my new firm. Where the client will remain with Mr. McWhirter and Mr. Perry I have circled their names. If you have any questions, please give me a call. And, thanks, as always, for your help. Vicki Gordon Kaufman

TOTAL NUMBER OF PAGES: 8 (Including Cover Sheet)
TELEPHONE NUMBER IN CASE OF TRANSMISSION ERROR: (850) 681-3828

PLEASE DELIVER IMMEDIATELY

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS ATTORNEY/CLIENT PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE COLLECT AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL REIMBURSE YOU FOR EXPENSES. THANK YOU.

*one
03/03/05
kup*

Docket Index Listing

990649-TP

Docketed: May 20, 1999
Status: Litigation
Company: Incumbent Local Exchange Telecommunications Companies
Title: Investigation into pricing of unbundled network elements.
Progmod: A18 Kaufman/McGlothlin

990649A-TP

Docketed: October 29, 2001
Status: Litigation
Company: Incumbent Local Exchange Telecommunications Companies
Title: Investigation into pricing of unbundled network elements (BellSouth track).
Progmod: A18 Kaufman/McGlothlin

990649B-TP

Docketed: October 29, 2001
Status: Litigation
Company: Incumbent Local Exchange Telecommunications Companies
Title: Investigation into pricing of unbundled network elements (Sprint/Verizon track).
Progmod: A18 Kaufman/McGlothlin

000121A-TP

Docketed: April 11, 2002
Status: Active
Company: BellSouth Telecommunications, Inc. (TL720)
Title: Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (BELLSOUTH TRACK)
Progmod: A18 McGlothlin/Kaufman

000121C-TP

Docketed: April 11, 2002
Status: Active
Company: Verizon Florida Inc. (TL710)
Title: Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (VERIZON FLORIDA TRACK)
Progmod: A18 Kaufman

020233-EI

Docketed: March 13, 2002
Status: Active
Company: Florida Power & Light Company (EI802)
Florida Power Corporation (EI801)
Tampa Electric Company (EI806)
Title: Review of GridFlorida Regional Transmission Organization (RTO) Proposal.
Progmod: B11 Kaufman/Perry/McWhirter

Docket Index Listing

020507-TL

Docketed: June 12, 2002
Status: Active
Company: BellSouth Telecommunications, Inc. (TL720)
Florida Competitive Carriers Association
Title: Complaint of Florida Competitive Carriers Association
against BellSouth Telecommunications, Inc. regarding
BellSouth's practice of refusing to provide FastAccess
Internet Service to customers who receive voice service from
a competitive voice provider, and request for expedited
relief.

Progmod: 86

~~Kaufman/Arry~~

020868-TL

Docketed: August 6, 2002
Status: Active
Company: BellSouth Telecommunications, Inc. (TL720)
Title: Petition by BellSouth Telecommunications, Inc. for
investigation of wireless carriers' request for BellSouth to
provide telecommunications service outside BellSouth's
exchange.

Progmod: B10

Kaufman

020960-TP

Docketed: September 6, 2002
Status: Active
Company: DIECA Communications, Inc. d/b/a Covad Communications Company (TX237)
Verizon Florida Inc. (TL710)
Title: Petition for arbitration of open issues resulting from
interconnection negotiations with Verizon Florida Inc. by
DIECA Communications, Inc. d/b/a Covad Communications
Company.

Progmod: A20(b)

Kaufman

031033-EI

Docketed: November 5, 2003
Status: Active
Company: Tampa Electric Company (EI806)
Title: Review of Tampa Electric Company's 2004-2008 waterborne
transportation contract with TECO Transport and associated
benchmark.

Progmod: A3(a)

~~Kaufman/Perry/McWhirter~~

Docket Index Listing

031125-TP
 Docketed: December 23, 2003
 Status: Active
 Company: BellSouth Telecommunications, Inc. (TL720)
 IDS Telcom LLC (TX559)
 IDS Telcom LLC (TJ500)
 Title: Complaint against BellSouth Telecommunications, Inc. for alleged overbilling and discontinuance of service, and petition for emergency order restoring service, by IDS Telcom LLC.
 Progmod: A9 Kaufman/McGlothlin

040029-EG
 Docketed: January 13, 2004
 Status: Active
 Company: Florida Power & Light Company (EI802)
 Title: Petition for approval of numeric conservation goals by Florida Power & Light Company.
 Progmod: C5 Kaufman/McWhirter

040032-EG
 Docketed: January 13, 2004
 Status: Active
 Company: Gulf Power Company (EI804)
 Title: Petition for approval of numeric conservation goals by Gulf Power Company.
 Progmod: C5 Kaufman/McWhirter

040033-EG
 Docketed: January 13, 2004
 Status: Active
 Company: Tampa Electric Company (EI806)
 Title: Petition for approval of numeric conservation goals by Tampa Electric Company.
 Progmod: C5 Kaufman/McWhirter

040488-TP
 Docketed: May 21, 2004
 Status: Active
 Company: BellSouth Telecommunications, Inc. (TL720)
 IDS Telcom LLC (TX559)
 Title: Complaint of BellSouth Telecommunications, Inc. against IDS Telcom LLC to enforce interconnection agreement deposit requirements.
 Progmod: A20(e) Kaufman/McGlothlin

Docket Index Listing

040489-TP

Docketed: May 21, 2004

Status: Active

Company: Allegiance Telecom of Florida, Inc. (TX342)

BellSouth Telecommunications, Inc. (TL720)

Verizon Florida Inc. (TL710)

XO Florida, Inc. (TX205)

Title: Emergency complaint seeking order requiring BellSouth Telecommunications, Inc. and Verizon Florida Inc. to continue to honor existing interconnection obligations, by XO Florida, Inc. and Allegiance Telecom of Florida, Inc. (collectively, Joint CLECs)

Progmod: A20(e)

Kaufman

040601-TP

Docketed: June 23, 2004

Status: Active

Company: BellSouth Telecommunications, Inc. (TL720)

DIECA Communications, Inc. d/b/a Covad Communications Company (TX237)

Title: Petition by DIECA Communications, Inc. d/b/a Covad Communications Company for arbitration of issue resulting from interconnection negotiations with BellSouth Telecommunications, Inc., and request for expedited processing.

Progmod: A20(b)

Kaufman

040611-TP

Docketed: June 25, 2004

Status: Active

Company: BellSouth Telecommunications, Inc. (TX031)

IDS Telcom LLC (TX559)

Title: Request for approval of amendment to interconnection, unbundling, resale, and collocation agreement between IDS Telcom LLC and BellSouth Telecommunications, Inc.

Progmod: A20(f)

Kaufman/McGlothlin

041114-TP

Docketed: September 22, 2004

Status: Active

Company: BellSouth Telecommunications, Inc. (TL720)

XO Florida, Inc. (TX205)

Title: Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNES; and request for expedited processing.

Progmod: A9

Kaufman

Docket Index Listing

041170-TP

Docketed: September 30, 2004
Status: Active
Company: Bright House Networks Information Services, LLC (Florida)
Verizon Florida Inc. (TL710)
Title: Complaint against Verizon Florida Inc. and request for
declaratory ruling by Bright House Networks Information
Services, LLC (Florida).
Progmod: A9

Kaufman

041269-TP

Docketed: November 1, 2004
Status: Active
Company: BellSouth Telecommunications, Inc. (TL720)
Title: Petition to establish generic docket to consider amendments
to interconnection agreements resulting from changes in law,
by BellSouth Telecommunications, Inc.
Progmod: A20

Kaufman

041272-EI

Docketed: November 2, 2004
Status: Active
Company: Progress Energy Florida, Inc. (EI801)
Title: Petition for approval of storm cost recovery clause for
recovery of extraordinary expenditures related to Hurricanes
Charley, Frances, Jeanne, and Ivan, by Progress Energy
Florida, Inc.
Progmod: A3

Kaufman/Perry/McWhirter

041291-EI

Docketed: November 4, 2004
Status: Active
Company: Florida Power & Light Company (EI802)
Title: Petition for authority to recover prudently incurred storm
restoration costs related to 2004 storm season that exceed
storm reserve balance, by Florida Power & Light Company.
Progmod: A19

Kaufman/Perry/McWhirter

Docket Index Listing

041338-TP

Docketed: November 23, 2004
 Status: Active
 Company: BellSouth Telecommunications, Inc. (TL720)
 Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch (TX4)
 Florida Digital Network, Inc. d/b/a FDN Communications (TX230)
 ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom d/b/a Grapevine (TX0)
 LecStar Telecom, Inc. (TX394)
 Title: Joint petition by ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom d/b/a Grapevine; Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch; DIECA Communications, Inc. d/b/a Covad Communications Company; Florida Digital Network, Inc.; LecStar Telecom, Inc.; MCI Communications, Inc.; and Network Telephone Corporation ("Joint CLECs") for generic proceeding to set rates, terms, and conditions for hot cuts and batch hot cuts for UNE-P to UNE-L conversions and for retail to UNE-L conversions in BellSouth Telecommunications, Inc. service area.

Progmod: A19 Kaufman

041376-EI

Docketed: December 7, 2004
 Status: Active
 Company: Tampa Electric Company (EI806)
 Title: Petition for approval of new environmental program for cost recovery through Environmental Cost Recovery Clause, by Tampa Electric Company.

Progmod: A3(d) Kaufman/Perry/McWhirter

050001-EI

Docketed: January 3, 2005
 Status: Active
 Company: Investor-Owned Electric Utilities
 Title: Fuel and purchased power cost recovery clause with generating performance incentive factor.

Progmod: A3(a) Kaufman/Perry/McWhirter

050002-EG

Docketed: January 3, 2005
 Status: Active
 Company: Electric Utilities
 Title: Energy conservation cost recovery clause.

Progmod: A3(b) Kaufman/Perry/McWhirter

Docket Index Listing

050007-EI

Docketed: January 3, 2005
 Status: Active
 Company: Florida Power & Light Company (EI802)
 Gulf Power Company (EI804)
 Progress Energy Florida, Inc. (EI801)
 Tampa Electric Company (EI806)
 Title: Environmental cost recovery clause.
 Progmod: A3(d)

~~Kaufman~~ / Perry / McWhirter

050111-TP

Docketed: February 8, 2005
 Status: Active
 Company: IDS Telcom Corp. (TX834)
 IDS Telcom Corp. (TJ987)
 IDS Telcom LLC (TX559)
 MCG Capital Corporation
 Title: Joint petition of MCG Capital Corporation, IDS Telcom Corp. and IDS Telcom LLC for approval for name change and transfer of CLEC Certificate No. 5228 from IDS Telcom LLC to IDS Telcom Corp.; for waiver of Rule 25-4.118, F.A.C., Local, Local Toll, or Toll Provider Selection in connection with the sale of customer-based and other assets from IDS Telcom LLC to IDS Telcom Corp.; and for acknowledgment of registration of IDS Telcom Corp. as intrastate interexchange telecommunications company effective February 8, 2005.
 Progmod: B7(c)

Kaufman

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON
LISA POLAK EDGAR



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

March 7, 2005

Ms. Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

Re: Docket No. 041114-TP - Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

Dear Ms. Sims:

Pursuant to your e-mail request received today, enclosed is a copy of Confidential Document No. 01985-05. This confidential document is the deposition and Exhibit Nos. XO-7 through XO-12 of Michael E. Willis and Shelley W. Padgett taken February 17, 2005. It is my understanding BellSouth has signed a protective agreement with XO, which allows you to receive this confidential document.

Please sign below to indicate receipt of this document.

Sincerely,

Handwritten signature of Kay Flynn.

Kay Flynn, Chief
Bureau of Records

KF/mhl
Enclosure

cc: Jason Rojas, Office of the General Counsel
Kitessa Kennedy, Division of Competitive Markets and Enforcement

SIGNED FOR BY

Handwritten signature of Stan J. Green.

DATE

3/7/05

Marguerite Lockard

From: Kay Flynn
Sent: Monday, March 07, 2005 9:12 AM
To: Nancy Sims
Cc: vkaufman@moylslaw.com; Jason Rojas; Marguerite Lockard
Subject: RE: Docket No. 041114 XO Complaint Against BellSouth

Yes, we'll have copies ready for Stan.

Marguerite, pls note.

Kay

From: Nancy Sims
Sent: Monday, March 07, 2005 9:06 AM
To: Kay Flynn
Cc: vkaufman@moylslaw.com; Jason Rojas
Subject: Docket No. 041114 XO Complaint Against BellSouth
Importance: High

Kay,
Would you please provide BellSouth with a copy of the confidential version of the depositions of BellSouth's witnesses Shelley Padgett and Michael Willis. We failed to get copies of this. We do have a protective agreement with XO.

Thank you,
Nancy Sims
222-1201

If possible, Stan Greer would like to pick this up after the 9:30 Prehearing conference today.

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. 117

Kay Flynn

041114-TP

From: Vicki Gordon Kaufman [vkaufman@moylelaw.com]
Sent: Friday, April 08, 2005 2:57 PM
To: Shore, Andrew; Slaughter, Brenda ; Jason Rojas; dana.shaffer@xo.com
Cc: Linda Hobbs; Fatool, Vicki; Holland, Robyn P; Nancy Sims; Bixler, Micheale; Kay Flynn; Blanca Bayo
Subject: RE: Docket 041114-TP -- IMPORTANT!

Thanks Andrew. We maintain that the credit calculations are also confidential and you should you include them in your request as well. Vicki

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

From: Shore, Andrew [mailto:Andrew.Shore@BellSouth.COM]
Sent: Friday, April 08, 2005 2:09 PM
To: Vicki Gordon Kaufman; Slaughter, Brenda ; Jason Rojas; dana.shaffer@xo.com
Cc: Hobbs, Linda; Fatool, Vicki; Holland, Robyn P; Sims, Nancy H; Bixler, Micheale; KFLYNN@PSC.STATE.FL.US; bbayo@psc.state.fl.us
Subject: RE: Docket 041114-TP -- IMPORTANT!

Vicki,

Based on XO's assertion of confidentiality, we will file a Notice of Intent along with the exhibits to the testimony that XO claims contain confidential information. If XO intends to maintain its claim of confidentiality, I presume it will file an RCC within the required timeframe. If you would like to discuss, give me a call.

Andrew

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

From: Vicki Gordon Kaufman [mailto:vkaufman@moylelaw.com]
Sent: Friday, April 08, 2005 2:09 PM
To: Slaughter, Brenda ; Jason Rojas; dana.shaffer@xo.com
Cc: Shore, Andrew; Hobbs, Linda; Fatool, Vicki; Holland, Robyn P; Sims, Nancy H; Bixler, Micheale; KFLYNN@PSC.STATE.FL.US; bbayo@psc.state.fl.us
Subject: RE: Docket 041114-TP -- IMPORTANT!
Importance: High

All -- We have just received Bell's supplemental direct testimony of Shelley Padgett. It appears that Bell has included several exhibits which list confidential circuit identification information, though Bell has not filed it pursuant to appropriate confidentiality procedures.

It is my understanding that throughout this case the parties have treated such information as confidential and filed it as such with the Commn. Therefore, XO asks all who have received this information to treat it as confidential. I understand that Bell will be making an appropriate filing protecting the information.

Thank you.

Vicki Gordon Kaufman

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

From: Slaughter, Brenda [mailto:Brenda.Slaughter@BellSouth.COM]
Sent: Friday, April 08, 2005 1:30 PM
To: Jason Rojas; Vicki Gordon Kaufman; dana.shaffer@xo.com
Cc: Shore, Andrew; Hobbs, Linda; Fatool, Vicki; Holland, Robyn P; Sims, Nancy H; Bixler, Micheale
Subject: Docket 041114-TP
Importance: High

Please find attached an electronic copy of today's filing on behalf of BellSouth Telecommunications, Inc. in the referenced docket. All parties will receive a hard copy by overnight mail.

Brenda Slaughter (sent on behalf of Andrew D. Shore)
BellSouth Telecommunications, Inc.
Suite 4300 - Legal Department
675 W. Peachtree Street
Atlanta, GA 30375-0001
Phone: (404) 335-0714

<<041114-TP Supplemental Direct Testimony.pdf>>

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State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

~~M-E-M-O-R-A-N-D-U-M~~ CORRESPONDENCE
✓ Administrative Parties Consumer

DATE: Wednesday, May 18, 2005

DOCUMENT NO. 13024-05

TO: Beth W. Salak, Director, Division of Competitive Markets & Enforcement

DISTRIBUTION: CCA; CMP

FROM: Kitessa Kennedy, Engineering Specialist II, Division of Competitive Markets & Enforcement *AKK*

RE: Request to Copy Confidential Information - Docket No. 041114-TP

Staff requests to make four copies of confidential document no. 04821-05. Staff believes that this document may be discussed during the proceeding, and they will be entered into the record as a confidential exhibit. As such, staff would like to have copies available for the Commissioners and appropriate witnesses to review. If there are any questions, please call Kit Kennedy at 413-6572.

cc: Marguerite Lockard
Della Fordham

one document / 4 copies
AKK



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: May 24, 2005

TO: Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services

RE: DOCKET NO. 041114-TP, HEARING HELD 05/19/05.

RE: COMPLAINT OF XO FLORIDA, INC. AGAINST BELLSOUTH TELECOMMUNICATIONS, INC. FOR ALLEGED REFUSAL TO CONVERT CIRCUITS TO UNES; AND REQUEST FOR EXPEDITED PROCESSING.

DOCUMENT No: 04937-05, 05/20/05

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMP

Acknowledged BY:

A handwritten signature in black ink, appearing to be "JF".

JF/rlm

Marguerite Lockard

From: Marguerite Lockard
Sent: Friday, May 27, 2005 12:38 PM
To: Kitessa Kennedy
Subject: RE: DN 04745-05 - FW: Confidential DNs

041114-TP

FPSC, CLK - CORRESPONDENCE

 Administrative Parties Consumer
DOCUMENT NO. 13024-05DISTRIBUTION:

just let us know when you find out. thanks.

(DN to staff off-line)
 per staff *AKL*

From: Kitessa Kennedy
Sent: Friday, May 27, 2005 11:20 AM
To: Marguerite Lockard
Subject: RE: DN 04745-05 - FW: Confidential DNs

Nothing yet. Is there a timeframe that you need to have something by? He said he has passed along the question to BellSouth and we're waiting his response.

Kit Kennedy
 Engineer
 CMP - FPSC

From: Marguerite Lockard
Sent: Thursday, May 26, 2005 2:19 PM
To: Kitessa Kennedy
Subject: FW: DN 04745-05 - FW: Confidential DNs

?????

From: Timolyn Henry
Sent: Thursday, May 26, 2005 2:13 PM
To: Marguerite Lockard
Subject: RE: DN 04745-05 - FW: Confidential DNs

any word yet??

From: Marguerite Lockard
Sent: Tuesday, May 17, 2005 11:32 AM
To: Timolyn Henry
Cc: Matilda Sanders; Kay Flynn
Subject: DN 04745-05 - FW: Confidential DNs

Please note we are waiting to hear from Kit about scanning in document No. 04745-05. She is not sure if there is confidential information in the request or not.

thanks.

From: Marguerite Lockard
Sent: Tuesday, May 17, 2005 10:51 AM

6/10/2005

To: Kitessa Kennedy
Subject: RE: Confidential DNs

i was able to pull it before it got scanned. let me know what's up....thanks.

From: Kitessa Kennedy
Sent: Tuesday, May 17, 2005 10:45 AM
To: Marguerite Lockard
Subject: RE: Confidential DNs

The good news is you're not losing your mind.

The bad news is BellSouth is!

In the red folder is DN 01779-05, and I will fix the number written on the outside of the folder to be 01779-05 instead of 01179-05.

In 04746-05 that just came in from BellSouth, they included attachment B as being public, but I think the whole thing is supposed to be proprietary. If you could hold off on putting the RCC onto the network, I'd appreciate it. I'll talk with the lawyer and see if we can get that fixed. Thanks!

Kit Kennedy
Engineer
CMP - FPSC

From: Marguerite Lockard
Sent: Tuesday, May 17, 2005 10:17 AM
To: Kitessa Kennedy
Subject: FW: Confidential DNs

oops again.....i think i gave you the right confidential DN 01779-05....i just wrote it down wrong on the red pouch & on the check-out log....please confirm that yes, i am losing my mind....
thanks.

From: Marguerite Lockard
Sent: Tuesday, May 17, 2005 10:11 AM
To: Kitessa Kennedy
Subject: Confidential DNs

Kit.

I gave you DN 01179-05/01180-05....& i think you wanted DN 01779-05....can you bring the wrong one back to me & i'll give you the right one ???? thanks.

DKts. Attached
BELLSOUTH

Updated 9-6-05

BellSouth Telecommunications, Inc.
Regulatory & External Affairs
150 South Monroe Street
Suite 400
Tallahassee, FL 32301

Nancy H. Sims
Director

850 577 5555
Fax 850 222 8640

Nancy.Sims@Bellsouth.com

August 31, 2005

041114-TP

Mrs. Blanca Bayó
Division of the Commission Clerk
and Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

TL720

TX031

RECEIVED-PPSC
03 SEP -2 AM 9:51
COMMISSION
CLERK
7L720

Subject: Regulatory Contact Numbers for BellSouth

Dear Mrs. Bayó:

The BellSouth Telecommunications, Inc. Tallahassee Regulatory Office has recently changed telephone numbers. Please use this letter to change the official contact information for BellSouth that the Commission and the Commission Staff would use for BellSouth related matters. There is no change in the address or in the fax number that is used for Commission correspondence to BellSouth.

The main telephone number for the BellSouth Tallahassee Regulatory Office (Nancy H. Sims) has been changed from (850)222-1201 to (850)577-5555. Both numbers will be active for several months.

Other numbers for the BellSouth Regulatory staff are as follows:

Jerry Hendrix	(850)577-5550
Stan Greer	(850)577-5552
MaryRose Sirianni	(850)577-5553
Robyn Holland	(850)577-5551
Wayne Tubaugh	(850)577-5525

If you need any additional information, please let me know.

Yours truly,

Nancy H. Sims
Nancy H. Sims
Director - Regulatory Relations

*9-6-05
Copy to Ceal K. Bena
for info*

Copy to:

Beth Salak
Dan Hoppe
Richard Melson
Mary Bane
Kevin Bloom

Richard Tudor
Tim Devlin
Chuck Hill
Larry Harris
Katrina Tew

Cayce Hinton
Roberta Bass
Manny Arisso
Bev DeMello
Beth Keating

*Sims
old
P. 850)222-1201*

TX031

Docket Index Listing

000121A-TP ✓
000475-TP ✓
000731-TP ✓
001305-TP ✓
020507-TL ✓
020868-TL ✓
030137-TP ✓
030829-TP ✓
040028-TP ✓
040130-TP ✓
040301-TP ✓
040514-TP ✓
040527-TP ✓
040530-TP ✓
040601-TP ✓
040779-TP ✓
041114-TP ✓
041269-TP ✓
041338-TP ✓
050119-TP ✓
050125-TP ✓
050160-TP ✓
050171-TP ✓
050179-TL ✓
050194-TL ✓
050257-TL ✓

Docket Index Listing

050387-TP ✕
050417-TP ✕
050418-TP ✕
050419-TP ✕
050423-TP ✕
050424-TP ✕
050425-TP ✕
050426-TP ✕
050427-TP ✕
050433-TP ✕
050434-TP ✕
050435-TP ✕
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050441-TP ✕
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050445-TP ✕
050446-TP ✕
050447-TP ✕
050450-TP ✕
050464-TP ✕
050465-TP ✕
050466-TP ✕
050469-TP ✕
050476-TP ✕
050478-TP ✕

Docket Index Listing

050479-TP ✕
050480-TP ✕
050491-TP ✕
050492-TP ✕
050493-TP ✕
050505-TP ✕
050513-TP ✕
050514-TP ✕
050515-TP ✕
050524-TP ✕
050538-TP ✕
050539-TP ✕
050558-TP ✕
050559-TP ✕
050560-TP ✕
050561-TP ✕
050562-TP ✕
050566-TL ✕
050567-TL ✕
050570-TP ✕

STATE OF FLORIDA



COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

January 20, 2006

Vicki Gordon Kaufman, Esquire
Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, Florida 32301

Re: Return of Confidential Documents to the Source, Docket No. 041114-TP

Dear Ms. Kaufman:

Commission staff have advised that Confidential Documents listed below, filed on behalf of XO Florida, Inc., can be returned to the source.

13132-04	00729-05	01421-05	01890-05	01892-05	01952-05
01996-05	03484-05	03951-05	04195-05	04519-05	04644-05
04646-05	04967-05	05130-05	05318-05	05483-05	

The documents are enclosed.

Please do not hesitate to contact me if you have any questions concerning return of this material.

Sincerely,

KF
Kay Flynn
Chief of Records

KF:mhl
Enclosure

cc: Kiteisa Kennedy, Division of Competitive Markets and Enforcement
Lee Fordham, Office of the General Counsel

RECEIVED *Gilli Gordon Kaufman* DATE 1.27.06

STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW



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BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

January 20, 2006

Ms. Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301-1556

Re: Return of Confidential Documents to the Source, Docket No. 041114-TP

Dear Ms. Sims:

Commission staff have advised that Confidential Documents listed below, filed on behalf of BellSouth Telecommunications, Inc., can be returned to the source.

13128-04	13229-04	00045-05	00203-05	00328-05	00330-05
01105-05	01107-05	01109-05	01419-05	01779-05	01903-05
02131-05	02134-05	02412-05	03167-05	03496-05	03893-05
03956-05	04197-05	04439-05	04521-05	04610-05	04746-05
04821-05	04850-05				

The documents are enclosed.

Please do not hesitate to contact me if you have any questions concerning return of this material.

Sincerely,

KF
Kay Flynn
Chief of Records

KF:mhl
Enclosure

cc: Kitessa Kennedy, Division of Competitive Markets and Enforcement
Lee Fordham, Office of the General Counsel

RECEIVED *[Signature]* DATE 1/27/06

STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW



DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

January 24, 2006

Vicki Gordon Kaufman, Esquire
Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, Florida 32301

Re: Return of Confidential Document to the Source, Docket No. 041114-TP

Dear Ms. Kaufman:

Commission staff have advised that confidential Document No. 01960-05, filed by Commission staff, which contains confidential information of XO Florida, Inc., is being forwarded to you per your request. The document is enclosed.

Please do not hesitate to contact me if you have any questions concerning return of this material.

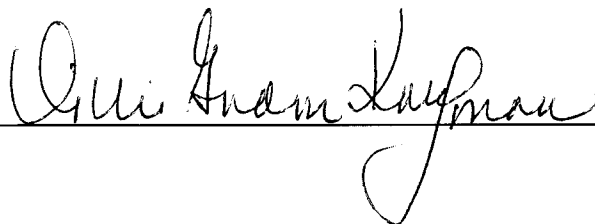
Sincerely,


Kay Flynn
Chief of Records

KF:mhl
Enclosure

cc: Kiteisa Kennedy, Division of Competitive Markets and Enforcement
Lee Fordham, Office of the General Counsel

RECEIVED



DATE

1.27.06