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January 6, 2005

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

Re: Docket No. 041144-TP Complaint of Sprint-Florida, Incorporated against KMC Telecom III LLC, KMC Telecom V, Inc. and KMC Data LLC, for failure to pay intrastate Access charges pursuant to its interconnection Agreement and Sprint's tariffs and for violation of Section 364.16(3)(a), FS.

Dear Ms. Bayó:

Enclosed for filing on behalf of Sprint-Florida, Incorporated is Sprint's Motion for Extension of Time to Respond to KMC's Motion for Reconsiderations and Request for Oral Argument.

Parties have been served pursuant to the attached Certificate of Service.

If you have any questions regarding this electronic filing, please do not hesitate to contact me at 850/599-1560.

Sincerely,

Susan S. Masterton

Enclosures

**CERTIFICATE OF SERVICE  
DOCKET NO. 041144-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic and U.S. mail this 6<sup>th</sup> day of January, 2006 to the following:


Division of Legal Services  
Lee Fordham/ Beth Keating  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Nancy Pruitt/Ann Marsh  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

KMC Data LLC/KMC Telecom III LLC/KMC Telecom V, Inc.  
Marva B. Johnson  
1755 North Brown Road  
Lawrenceville, GA 30043-8119

Kelley Drye & Warren LLP  
Chip Yorkgitis/ Barbara Miller  
1200 19th Street, N.W.,  
Fifth Floor  
Washington, DC 20036

Floyd R. Self, Esq.  
Messer, Caparello & Self, P.A.  
215 Monroe St., Ste 701  
Tallahassee, FL 32302

  
\_\_\_\_\_  
Susan S. Masterton

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Complaint of Sprint-Florida, Incorporated ) Docket No. 041144-TP  
Against KMC Telecom III LLC, )  
KMC Telecom V, Inc. and KMC Data LLC, )  
for failure to pay intrastate )  
Access charges pursuant to its interconnection )  
Agreement and Sprint's tariffs and for violation of )  
Section 364.16(3)(a), Florida Statutes. ) Filed: January 6, 2006  
\_\_\_\_\_ )

**SPRINT-FLORIDA INCORPORATED'S**  
**MOTION FOR EXTENSION OF TIME TO RESPOND TO**  
**KMC'S MOTION FOR RECONSIDERATION AND REQUEST FOR ORAL**  
**ARGUMENT**

Sprint-Florida, Incorporated ("Sprint"), pursuant to Rule 28-106.204(5), Florida Administrative Code, requests that the Florida Public Service Commission ("Commission") grant it a 3-day extension of time or until January 13, 2006, in which to respond to the Motion for Reconsideration and accompanying Request for Oral Argument (hereinafter, "Motion") filed by KMC Telecom III LLC, KMC Telecom V, Inc. and KMC Data LLC (collectively, "KMC") on January 3, 2006. In support of this Motion Sprint states as follows:

1. On December 19, 2005, the Commission issued its final order, Order No. PSC-05-1234-FOF-TP. In accordance with the Commission's rules KMC filed its Motion for Reconsideration of the Order and accompanying Request for Oral Argument on January 3, 2006. KMC served Sprint with a copy of its pleadings via e-mail on the afternoon of January 3, 2006. Pursuant to Rule 25-22.060, F.A.C. and Rules 28-106.103 and 28-106.204, F.A.C., Sprint's response to the Motion is due within 7 days, or on January 10, 2006.

2. Sprint's counsel was out of town on a previously scheduled business trip on January 4 and 5, 2006. As a result of these conflicting business obligations and the intervening weekend, Sprint's counsel will have insufficient time to adequately prepare a response to KMC's complex Motion. Therefore, Sprint is requesting a 3-day extension, until January 13, 2006, to prepare its Response. Sprint believes that the granting of this extension will serve the public interest in that it will allow the Commission to receive sufficient information and argument from both parties to assist in its decision on the Motion.
3. Sprint has consulted with KMC as required by Rule 28-106.204(3), Florida Administrative Code, and counsel for KMC has represented that KMC does not object to Sprint's request. No party will be prejudiced by this 3-day extension of time.
4. The Commission has the authority to grant an extension of time to respond to a Motion for Reconsideration and has done so in the past. See, e.g., Order No. PSC-04-0205-FOF-TP, *In re: Request for arbitration concerning complaint of AT&T Communications of the Southern States, LLC, Teleport Communications Group, Inc., and TCG South Florida for enforcement of interconnection agreements with BellSouth Telecommunications, Inc.*, Docket No. 020919-TP.

Wherefore, for the foregoing reasons, Sprint respectfully requests that the Commission grant it a 3-day extension of time, until January 13, 2006, in which to respond to the Motion for Reconsideration filed by KMC.

Respectfully submitted this 6th day of January 2006.



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SPRINT-FLORIDA,  
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