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COMMISSION  
CLERK

February 28, 2006

BY HAND DELIVERY

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

Re: Docket No. 040156: *Petition for Arbitration of an Amendment to Interconnection Agreements with Certain Competitive Local Exchange Carriers and Commercial Mobile Radio Service Providers in Florida by Verizon Florida Inc.*

Dear Ms. Bayo:

DIECA Communications, Inc. d/b/a Covad Communications Company, NuVox Communications, Inc. (formerly NewSouth Communications Corp.), The Ultimate Connection, Inc. d/b/a DayStar Communications, Xspedius Management Co. Switched Services, LLC, Xspedius Management Co. of Jacksonville, LLC and XO Communications Services, Inc., (formerly XO Florida, Inc. and Allegiance Telecom of Florida, Inc.) (members of the Competitive Carrier Group), and Florida Digital Network, Inc. d/b/a FDN Communications (collectively, the "CLEC Parties"), through counsel, submit this letter to correct two inadvertent errors in the proposed joint Amendment of the CLEC Parties and Verizon Florida Inc. ("Verizon") submitted in the above-captioned proceeding, dated February 14, 2006. As ordered by the Florida Public Service Commission (the "Commission"), the Amendment must permit Florida CLECs to "submit a letter, either manually or electronically, identifying and certifying that all currently provisioned circuits conform to the TRO service eligibility criteria, within 60 days of the effective date of the issuance of the Order."<sup>1</sup> Thus, the Amendment should reflect that Florida CLECs may re-certify compliance for each DS1 circuit or DS1 equivalent by letter, or by ASR or LSR, and that such re-certification be completed within 60 days. The Amendment dated February 14, 2006 does not reflect these rulings.

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<sup>1</sup> Order on Arbitration, Order No. PSC-05-1200-FOF-TP (Dec. 5, 2005) at 111. Notwithstanding Verizon's Motion for Reconsideration and/or Clarification filed in the above-captioned proceeding, the Commission maintained that a "manual method" may be used for certification of High Capacity EELs. Order Denying Motions for Reconsideration and Granting Clarification of Certain Portions of Order No. PSC-05-1200-FOF-TP, Order No. PSC-06-0078-FOF-TP (Feb. 3, 2006) at 3.

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Consistent with the Commission's Order on Arbitration, the CLEC Parties hereby propose that the Commission adopt the following contract language to replace the previously filed Section 3.11.2.1.5:

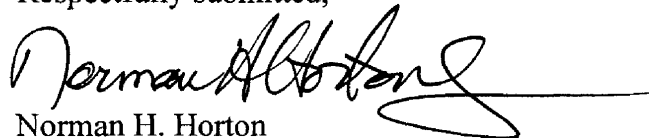
For High Capacity EEL circuits existing as of the Amendment Effective Date, **\*\*\*CLEC Acronym TXT\*\*\***, within **60** days of the Amendment Effective Date, must re-certify in writing **(i.e., letter, or ASR or LSR)** that each DS1 circuit or DS1 equivalent circuit satisfies the service eligibility criteria set forth in 47 C.F.R. § 51.318.

The revised contract language proposed herein by the CLEC Parties is necessary to make the Amendment consistent with the Commission's orders in this proceeding, and therefore should be adopted by the Commission.

The process for re-certifying compliance of existing High Capacity EEL circuits with the service eligibility criteria set forth in the *Triennial Review Order* is of critical importance to the CLEC Parties. Specifically, the CLEC Parties' internal systems are not technically equipped to re-certify existing EELs using Verizon's electronic ASR (or LSR) process. Moreover, the CLEC Parties are unable to accomplish re-certifying all existing EELs within the thirty (30) day time frame contained in the February 14, 2006 proposed Amendment. Conformance of the Amendment language to the Commission's orders therefore is of significant practical importance to the CLEC Parties.<sup>2</sup>

For the reasons set forth herein, the CLEC Parties request that the Commission adopt the replacement contract language proposed for Section 3.11.2.2, addressing the process and time frame for re-certifying DS1 and DS1 equivalent high capacity EEL circuits.

Respectfully submitted,



Norman H. Horton

*Counsel to the Competitive Carrier Group*

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<sup>2</sup> For ordering and certifying new EELs, the CLEC Parties do not object to using Verizon's electronic ASR (or as applicable, LSR) ordering process.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Electronic and U. S. Mail on this 28<sup>th</sup> day of February, 2006.

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