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LAW OFFICES  
Messer, Caparello & Self  
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Post Office Box 1876  
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March 2, 2006

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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, with the concurrence of Verizon Florida Inc. ("Verizon") (collectively, the "Parties"), hereby advise the Florida Public Service Commission (the "Commission") that the Parties agree to incorporate in the Amendment the following contract language addressing re-certification of existing EELs within Florida:

For High Capacity EEL circuits existing as of the Amendment Effective Date, \*\*\*CLEC Acronym TXT\*\*\*, within 30 days of the Amendment Effective Date, must re-certify in writing using ASRs or a letter that each DS1 circuit or DS1 equivalent circuit satisfies the service eligibility criteria on a circuit-by-circuit basis as set forth in 47 C.F.R. § 51.318. If \*\*\*CLEC Acronym TXT\*\*\* uses a letter to provide such re-certification, the letter must include an attached spreadsheet identifying each DS1 and DS1 equivalent circuit that \*\*\*CLEC Acronym TXT\*\*\* certifies to be in

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compliance with the service eligibility criteria set forth in 47 C.F.R. § 51.318. \*\*\*CLEC Acronym TXT\*\*\* must provide both an electronic copy and a paper copy of any such letter and attached spreadsheet, and the paper copy must be signed by a duly authorized representative of \*\*\*CLEC Acronym TXT\*\*\*. Any such existing circuits not re-certified as set forth above within 30 days of the Amendment Effective Date shall, effective as of 30 days after the Amendment Effective Date, be treated as noncompliant circuits as described in Section 3.11.2.2 below.

The revised contract language set forth above shall replace the last two sentences in Section 3.11.2.1.5 of the contract language previously filed with the Commission.<sup>1</sup> Accordingly, consistent with the agreement set forth herein, the members of the Competitive Carrier Group and FDN Communications hereby withdraw their February 28, 2006 letter to the Commission regarding the contract language previously in dispute.

Please feel free to contact Brett Heather Freedson, at (202) 887-1211 if you have any questions or require further information.

Respectfully submitted,



Norman H. Horton

*Counsel to the Competitive Carrier Group*

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<sup>1</sup> Letter from Leigh Hyer, Vice President – General Counsel, Southeast Region, Verizon to Blanca Bayo, Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission (transmitting proposed joint Amendment) (Feb. 14, 2005).

## 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 2<sup>nd</sup> day of March, 2006.

Lee Fordham, Esq.  
Office of General Counsel, Room 370  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Richard A. Chapkis, Esq.  
Verizon Florida Inc.  
P.O. Box 110, FLTC0717  
Tampa, FL 33601-0110

Aaron M. Panner, Esq.  
Scott H. Angstreich, Esq.  
Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C.  
Sumner Square  
1615 M Street, N.W., Suite 400  
Washington, DC 20036

Mike Ray, MBA, CNE, CTE  
EagleTel, Florida's Other Phone Company  
1800 Second Street  
Suite 708  
Sarasota, FL 34236

Mr. Michael E. Britt  
LecStar Telecom, Inc.  
4501 Circle 75 Parkway, Suite D-4200  
Atlanta, GA 30339-3025

Donna McNulty, Esq.  
MCI  
1203 Governors Square Boulevard, Suite 201  
Tallahassee, FL 32301-2960

De O'Roark, Esq.  
MCI  
6 Concourse Parkway, Suite 600  
Atlanta, GA 30328

Ms. Martine Cadet  
Myatel Corporation  
P.O. Box 100106  
Ft. Lauderdale, FL 33310-0106

Susan Masterton, Esq.  
Sprint Communications Company Limited  
Partnership  
P.O. Box 2214  
Tallahassee, Florida 32316-2214

W. Scott McCollough  
David Bolduc  
Stumpf, Craddock Law Firm  
1250 Capital of Texas Highway South  
Building One, Suite 420  
Austin, TX 78746

Michael C. Sloan, Esq.  
Swidler Berlin  
3000 K Street, NW, Suite 300  
Washington, DC 20007

Matthew Feil, Esq.  
FDN Communications  
2301 Lucien Way, Suite 200  
Maitland, FL 32751

Mr. Mark Hayes  
ALEC, Inc.  
250 West main Street, Suite 1920  
Lexington, KY 45717

Ms. Sonia Daniels  
AT&T  
1230 Peachstreet Street, #400  
Atlanta, GA 30309

Tracy Hatch  
AT&T  
101 N. Monroe Street, Suite 700  
Tallahassee, FL 32301

Mr. Larry Wright  
American Dial Tone  
2323 Curlew Road, Suite 7C  
Dunedin, FL 34683-9332

Ms. Jean Cherubin  
CHOICE ONE Telecom  
1510 N.E. 162<sup>nd</sup> Street  
North Miami Beach, FL 33162-4716

Mr. Charles E. Watkins  
Covad Communications Company  
1230 Peachtree Street, NE, Suite 1900  
Atlanta, GA 30309-3578

Mr. Dennis Osborn  
DayStar Communications  
18215 Paulson Drive  
Port Charlotte, FL 33954-1019

Marva Brown Johnson, Esq.  
KMC  
1755 North Brown Road  
Lawrenceville, GA 30048-8119

Mr. Greg Rogers  
Level 3 Communications, LLC  
1025 Eldorado Boulevard  
Broomfield, CO 80021-8869

Saluda Networks Incorporated  
782 N.W. 42<sup>nd</sup> Avenue, Suite 210  
Miami, FL 33126-5546

Russel M. Blau  
Swidler Berlin  
3000 K Street, N.W., Suite 300  
Washington, DC 20007-5116

Tallahassee Telephone Exchange, Inc.  
P.O. Box 11042  
Tallahassee, FL 32302-3042

Ms. Carolyn Marek  
Time Warner Telecom of Florida, L.P.  
233 Bramerton Court  
Franklin, TN 37069-4002

Mr. David Christian  
Verizon Florida, Inc.  
106 East College Avenue  
Tallahassee, FL 32301-7748

Ms. Dana Shaffer  
XO Florida, Inc.  
105 Molloy Street, Suite 300  
Nashville, TN 37201-2315

  
Norman H. Horton, Jr.