

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.

Company: Verizon Florida Inc.

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

Table with columns: AUS, CAF, CCA, CMP, ECR, EXT, (GCL), MMS, PIF. Row 1: X

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

Program Module A20(f)

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

Staff Counsel

OCRs

Table with columns: 0 Current CASR revision level, Due Dates (Previous, Current). Rows 1-40.

Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with CCA: _____

Initials: OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Table for Hearing Officer(s) assignments: Commissioners (ALL, BZ, DS, JB, BD, DV), Hrg Exam, Staff.

- Prehearing Officer

Table for Prehearing Officer assignments: Commissioners (BZ, DS, JB, BD, DV), ADM.

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: _____ DOCUMENT NUMBER-DATE

07625 AUG 23 08

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
 Company: Verizon Florida Inc.

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

AUS	CAF	CCA	(CMP)	ECR	EXT	GCL	MMS	PIF
			X			X		

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

Time Schedule

Program Module A20(b)

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

Staff Assignments

OPR Staff	<u>D Dowds</u>
Staff Counsel	<u>L Fordham</u>
OCRs	

	Current CASR revision level	Due Dates	
		Previous	Current
1.	CLEC/CMRS Responses Due	NONE	03/16/2004
2.	Revised CASR Due	NONE	03/31/2004
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Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: 03/05/2004

Initials: OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
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.

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
				X	

Approved: BB/hw
 Date: 03/05/2004

Section 1 - Bureau of Records and Hearing Services Completes

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
 Company: Verizon Florida Inc.

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

AUS	CAF	CCA	(CMP)	ECR	EXT	GCL	MMS	PIF
			X			X		

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

Program Module A20(b)

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 IT IS TENTATIVE AND SUBJECT TO REVISION.
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff P Lee, D Dowds

Staff Counsel L Fordham, F Banks

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: 03/31/2004

Initials: OPR _____
 Staff Counsel _____

	1	Due Dates	
		Previous	Current
1.	CLEC Response Due	NONE	04/13/2004
2.	Staff Recommendation - Motion to Dismiss	NONE	04/22/2004
3.	Agenda	NONE	05/04/2004
4.	Standard Order	NONE	05/24/2004
5.	Revised CASR Due	NONE	06/02/2004
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Section 3 - Chairman Completes Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
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: BIB/Ans
 Date: 03/31/2004

Section 1 - Bureau of Records and Hear Servi Completes

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.

Official Filing Date: _____ Expiration: _____

Last Day to Suspend: _____

Referred to: _____

("(") indicates OPR)

Table with columns: CCA, (CMP), ECR, FLL, GCL, MMS, PIF, RCA, SCR. Row 1: CCA, (CMP) X, ECR, FLL, GCL X, MMS, PIF, RCA, SCR.

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

Program Module A20(b)

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

Table for Staff Assignments. Columns: OPR Staff, Staff Counsel, OCRs. Row 1: P Lee, D Dowds. Row 2: L Fordham, F Banks.

Table with columns: Due Dates (Previous, Current) and rows 1-40. Row 1: 2 Current CASR revision level. Row 2: 1. Staff Recommendation - Motion to Dismiss. Row 3: 2. Agenda. Row 4: 3. Standard Order. Row 5: 4. Revised CASR Due. Row 6: 5. Row 7: 6. Row 8: 7. Row 9: 8. Row 10: 9. Row 11: 10. Row 12: 11. Row 13: 12. Row 14: 13. Row 15: 14. Row 16: 15. Row 17: 16. Row 18: 17. Row 19: 18. Row 20: 19. Row 21: 20. Row 22: 21. Row 23: 22. Row 24: 23. Row 25: 24. Row 26: 25. Row 27: 26. Row 28: 27. Row 29: 28. Row 30: 29. Row 31: 30. Row 32: 31. Row 33: 32. Row 34: 33. Row 35: 34. Row 36: 35. Row 37: 36. Row 38: 37. Row 39: 38. Row 40: 39.

Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____ Hearing Examiner _____ Staff _____

Date filed with CCA: 04/22/2004

Initials: OPR _____ Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Table for Hearing Officer(s) with columns: Commissioners (ALL, BZ, DS, JB, BD, DV), Hrg Exam, Staff.

- Prehearing Officer

Table for Prehearing Officer with columns: Commissioners (BZ, DS, JB, BD, DV), ADM.

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: [Signature] Date: 04/27/2004

C

Section 1 - Bureau of Records Complet.

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc. Company: Verizon Florida Inc.

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

Table with columns: CCA, (CMP), ECR, FLL, GCL, MMS, PIF, RCA, SCR. Values: X, X

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

Program Module A20(b)

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Staff Assignments

Table with columns: Staff Category (OPR Staff, Staff Counsel, OPRs) and Staff Name (P Lee, D Dowd's; L Fordham, F Banks)

Table with columns: Item Number (1-40), Current CASR revision level (3), and Due Dates (Previous, Current). Includes items like Staff Recommendation, Agenda, Standard Order, Revised CASR Due.

Recommended assignments for hearing and/or deciding this case:

Full Commission [X] Commission Panel [] Hearing Examiner [] Staff []

Date filed with CCA: 05/19/2004

Initials: OPR [] Staff Counsel []

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Table for Hearing Officer(s) with columns: Commissioners (ALL, BZ, DS, JB, BD, DV), Hrg Exam, Staff

- Prehearing Officer

Table for Prehearing Officer with columns: Commissioners (BZ, DS, JB, BD, DV), ADM

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: [Signature] Date: 05/24/2004

Section 1 - Bureau of Records Complet

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
 Company: Verizon 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 A20(b)

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

Staff Assignments

OPR Staff P Lee, D Dowds

Staff Counsel L Fordham, F Banks

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
 Hearing Examiner _____ Staff _____

Date filed with CCA: 06/29/2004

Initials: OPR _____
 Staff Counsel _____

	Current CASR revision level	Due Dates	
		Previous	Current
1. Standard Order	4	06/21/2004	07/19/2004
2. Verizon Refiles Petition		NONE	08/30/2004
3. CLEC Response Due		NONE	09/20/2004
4. Revised CASR Due		06/29/2004	10/29/2004
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
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/Amw
 Date: 06/29/2004

Section 1 - Bureau of Records Complete

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
 Company: Verizon 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 A20(b)

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

Staff Assignments

OPR Staff

P Lee, D Dowds

5 Current CASR revision level

Due Dates
 Previous Current

Staff Counsel

L Fordham, F Banks

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
 Hearing Staff

Date filed with CCA: 09/14/2004

Initials OPR _____
 Staff Counsel _____

1.	CLEC Response Due	09/20/2004	09/29/2004
2.	Revised CASR Due	06/29/2004	10/29/2004
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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: _____
 Date: _____

BIB/Rmj
Pending
9/28/04

Section 1 - Bureau of Records Complete

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.

Official Filing Date: Expiration:

Last Day to Suspend:

Referred to: CCA (CMP) ECR FLL GCL MMS PIF RCA SCR (C) indicates OPR

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

Program Module A20(b)

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Staff Assignments

OPR Staff

P Lee, D Dowds

6 Current CASR revision level

Due Dates Previous Current

Table with 4 columns: Item Number, Description, Previous Due Date, Current Due Date. Rows include: 1. Parties Submit Proposed Issues, 2. Briefs Due - Contract Interpretation, 3. Issue Identification, 4. Staff Recommendation, 5. Agenda, 6. Standard Order, 7. Revised CASR Due, 8-40. Empty rows.

Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel Hearing Staff

Date filed with CCA: 11/03/2004

Initials OPR Staff Counsel

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Table for Hearing Officer(s) with columns: Commissioners (ALL, BZ, DS, JB, BD, DV), Hrg Exam, Staff

Prehearing Officer

Table for Prehearing Officer with columns: Commissioners (BZ, DS, JB, BD, DV), ADM

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: [Signature] Date: 11/03/2004

Section 1 - Bureau of Records Complete:

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
 Company: Verizon 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 A20(b)

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

Staff Assignments

OPR Staff

P Lee, D Dowds

8 Current CASR revision level

Due Dates
 Previous Current

Staff Counsel

L Fordham, F Banks

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel _____
 Hearing _____ Staff _____

Date filed with CCA: 11/05/2004

Initials OPR _____
 Staff Counsel _____

1.	Parties Submit Proposed Issues	NONE	11/08/2004
2.	Issue Identification	NONE	11/16/2004
3.	Revised CASR Due	10/29/2004	01/10/2005
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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/Am
 Date: Pending 11/08/04

Case Scheduling/Rescheduling Advice

Last Revised 12/21/2004 at 14:44

Page 1 of 1

Printed on 12/21/2004 at 15:29

To:

<input type="checkbox"/> Commissioner Deason	<input checked="" type="checkbox"/> Deputy Executive Director/EXA	<input type="checkbox"/> Economic Regulation Director
<input checked="" 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 - Carris Fordham
<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: 040156-TP~~

Docket Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference		04/13/2005	Tallahassee, Room 152	9:30 AM - 11:00 AM
Hearing		05/04/2005	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing		05/05/2005	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing		05/06/2005	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	DV	ED		

Current Assignments

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-04-1236-PCO-TP, 12/13/04.

Section 1 - Bureau of Records Complete:

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
 Company: Verizon Florida Inc.

Official Filing Date: _____ Expiration: _____

Last Day to Suspend: _____

Referred to:

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

("O" indicates OPR)

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

Program Module A20(b)

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

Staff Assignments

OPR Staff	P Lee, D Dowds	9	Current CASR revision level	Due Dates	
				Previous	Current
			1. <u>Issue Identification</u>	SAME	11/16/2004
			2. <u>Direct Testimony - All</u>	NONE	01/28/2005
			3. <u>Rebuttal Testimony - All</u>	NONE	03/11/2005
			4. <u>Prehearing Statements</u>	NONE	03/30/2005
			5. <u>Prehearing</u>	NONE	04/13/2005
			6. <u>Prehearing Order</u>	NONE	04/18/2005
			7. <u>Hearing (5/4,5,6/05)</u>	NONE	05/04/2005
Staff Counsel	L Fordham, F Banks		8. <u>Briefs Due</u>	NONE	06/20/2005
			9. <u>Revised CASR Due</u>	NONE	07/20/2005
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Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
 Hearing Staff

Date filed with CCA: 12/14/2004

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							

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: *1313/RS*
 Date: 12/14/2004

Case Scheduling/Rescheduling Advice

Last Revised 01/14/2005 at 15:36

Page 1 of 1

Printed on 01/14/2005 at 15:38

To:

<input type="checkbox"/> Commissioner Deason	<input checked="" type="checkbox"/> Deputy Executive Director/EXA	<input type="checkbox"/> Economic Regulation Director
<input checked="" 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 - Carris Fordham
<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: 040156-TP

Docket Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference	04/13/2005	04/18/2005	Tallahassee, Room 152	3:00 PM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	BD	DV	ED		

Current Assignments

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-04-1236-PCO-TP, 12/13/04.

Section 1 - Bureau of Records Completes

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.

Official Filing Date: Expiration: Last Day to Suspend: Referred to: CCA (CMP) ECR FLL GCL MMS PIF RCA SCR

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Table with columns: Staff Assignments, Due Dates (Previous, Current), and numbered rows (1-40) detailing case milestones like Issue Identification, Prehearing Statements, etc.

Section 3 - Chairman Completes

Assignments are as follows: CSRA Prehearing Officer

Table for Hearing Officer(s) with columns for Commissioners (ALL, BZ, DS, BD, DV, ED), Hrg Exam, and Staff.

Table for Prehearing Officer with columns for Commissioners (BZ, DS, BD, DV, ED) and ADM.

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: [Signature] Date: 01/26/2005

Section 1 - Bureau of Records Complete:

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
 Company: Verizon 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 A20(b)

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	Staff Assignments	[10] Current CASR revision level	Due Dates	
			Previous	Current
	<u>P Lee, M Barrett</u>			
	<u>T Brown, D Dowds</u>			
	<u>J Duffey, N Garcia</u>	1.	<u>Issue Identification</u>	<u>SAME</u> <u>11/16/2004</u>
	<u>L Harvey, K Kennedy</u>	2.	<u>Rebuttal Testimony (All Parties)</u>	<u>SAME</u> <u>03/25/2005</u>
	<u>A Marsh, D Moss</u>	3.	<u>Prehearing Statements</u>	<u>SAME</u> <u>03/30/2005</u>
	<u>P Vickery, C Vinson</u>	4.	<u>Prehearing</u>	<u>04/13/2005</u> <u>04/18/2005</u>
		5.	<u>Prehearing Order</u>	<u>04/18/2005</u> <u>04/25/2005</u>
		6.	<u>Hearing (5/4,5,6/05)</u>	<u>SAME</u> <u>05/04/2005</u>
		7.	<u>Briefs Due</u>	<u>SAME</u> <u>06/20/2005</u>
		8.	<u>Revised CASR Due</u>	<u>SAME</u> <u>07/20/2005</u>
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Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
 Hearing Staff

Date filed with CCA: 02/28/2005

Initials OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- 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: BIB/Amr
 Date: 02/28/2005

Section 1 - Bureau of Records Complete:

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
 Company: Verizon 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 A20(b)

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

- P Lee, M Barrett
- T Brown, D Dowds
- J Duffey, N Garcia
- L Harvey, K Kennedy
- A Marsh, D Moss
- P Vickery, C Vinson

Current CASR revision level

Due Dates
 Previous Current

Staff Counsel

- L Fordham, F Banks

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
 Hearing Staff

Date filed with CCA: 05/02/2005

Initials OPR _____
 Staff Counsel _____

1.	Issue Identification	SAME	11/16/2004
2.	Hearing (5/4,5,6/05)	SAME	05/04/2005
3.	Briefs Due	06/20/2005	06/13/2005
4.	Revised CASR Due	SAME	07/20/2005
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Section 3 - Chairman Completes

Assignments are as follows:

- 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: BIB [Signature]
 Date: 05/02/2005

Section 1 - Bureau of Records Complete:

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
 Company: Verizon 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

Program Module <u>A20(b)</u>		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	<u>P Lee, M Barrett</u>	12	Current CASR revision level	Due Dates	
	<u>D Dowds, N Garcia</u>			Previous	Current
	<u>J Hallenstein, L Harvey</u>	1.	<u>Issue Identification</u>	SAME	11/16/2004
	<u>K Kennedy, L King</u>	2.	<u>Staff Recommendation</u>	SAME	09/22/2005
	<u>A Marsh, D Moss, D Rich</u>	3.	<u>Agenda</u>	SAME	10/04/2005
	<u>P Vickery, C Vinson</u>	4.	<u>Standard Order</u>	SAME	10/24/2005
		5.	<u>Revised CASR Due</u>	07/20/2005	11/30/2005
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		7.			
Staff Counsel	<u>L Fordham, F Banks</u>	8.			
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Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel X
 Hearing Staff

Date filed with CCA: 08/01/2005

Initials OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

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

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	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: 1313/hms
 Date: 08/01/2005

Section 1 - Bureau of Records Completes

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.

Company: Verizon 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

Program Module A20(b)

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

P Lee, M Barrett
D Dowds, N Garcia
J Hallenstein, L Harvey
K Kennedy, L King
A Marsh, D Moss, D Rich
P Vickery, C Vinson

Current CASR revision level

Due Dates
Previous Current

Staff Counsel

L Fordham, F Banks

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
Hearing Staff

Date filed with CCA: 09/22/2005

Initials OPR _____
Staff Counsel _____

1.	Issue Identification	SAME	11/16/2004
2.	Agenda	10/04/2005	11/01/2005
3.	Standard Order	10/24/2005	11/21/2005
4.	Revised CASR Due	11/30/2005	12/27/2005
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

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

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	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: BIB/RW

Date: ~~Pending~~ 9/27/05

Section 1 - Bureau of Records Complete:

Docket No. 040156-TP Date Docketed: 02/20/2004 Title: Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.

Company: Verizon 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

Program Module A20(b)

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	Staff Assignments	#	Description	Due Dates	
				Previous	Current
	<u>P Lee, M Barrett</u>	<u>14</u>	Current CASR revision level		
	<u>D Dowds, N Garcia</u>				
	<u>J Hallenstein, L Harvey</u>	1.	Issue Identification	SAME	11/16/2004
	<u>K Kennedy, L King</u>	2.	Close Docket or Revise CASR	NONE	05/11/2006
	<u>D Rich, P Vickery</u>	3.			
	<u>C Vinson</u>	4.			
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<u>Staff Counsel</u>	<u>L Fordham, F Banks</u>	8.			
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<u>OCRs</u>		10.			
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	ED	DS	AR	CT	TW		
	X						

Prehearing Officer

Commissioners					ADM
ED	DS	AR	CT	TW	
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: ED/ [Signature]
 Date: 03/29/2006

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

February 26, 2004

Aaron M. Panner, Esquire
Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C.
Summer Square
1615 M Street, NW, Suite 400
Washington, D.C. 20036-3209

Re: Docket No. 040156-TP

Dear Mr. Panner:

This will acknowledge receipt of a petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc., which was filed in this office on February 20, 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

I:\Records\acklet-no-app.doc

DOCUMENT NUMBER DATE

07625 AUG 23 8

FPSC-COMMISSION CLERK

Matilda Sanders

0578-PCO

From: Jackie Schindler
Sent: Tuesday, June 08, 2004 8:31 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

7

Date and Time: 6/8/2004 8:30:00 AM
Docket Number: 040156-tp
Filename / Path: 040156.abeyance.doc
Order Type: Signed / Hand Deliver

RECEIVED FPSC
JUN - 8 AM 10: 26
COMMISSION
CLERK

an ORDER ON MOTION TO HOLD PROCEEDING IN ABEYANCE has been signed and moved to gc orders for issuance today - it will come with our next run

js

B10.

Matilda Sanders

0590 - PCO

From: Jackie Schindler
Sent: Friday, June 11, 2004 10:04 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

3

Date and Time: 6/11/2004 10:03:00 AM
Docket Number: 040156
Filename / Path: 040156intervene.lf.doc

an order granting intervention has been moved to gc orders for issuance today

thanks

js

- 5/0
+
- mailed.

Matilda Sanders

0671 - FOF

From: Jackie Schindler
Sent: Monday, July 12, 2004 12:45 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

8

Date and Time: 7/12/2004 12:45:00 PM
Docket Number: 040156-tp
Filename / Path: 040156fo.lf.doc

an order granting sprint's motion to dismiss has been moved to gc orders for issuance today

js

15/10

State of Florida



Public Service Commission

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

DATE: July 16, 2004

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. 040156-TP, AGENDA HELD 06-29-04.

RE: PETITION FOR ARBITRATION OF AMENDMENT TO INTERCONNECTION AGREEMENTS WITH CERTAIN COMPETITIVE LOCAL EXCHANGE CARRIERS AND COMMERCIAL MOBILE RADIO SERVICE PROVIDERS IN FLORIDA BY VERIZON FLORIDA INC.

DOCUMENT NO.: 07470-04, 07-09-04

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 cursive script, appearing to read "JF/rIm", written over a horizontal line.

JF/rIm

CCA Official Filing

9/17/2004 11:15 AM*****

Matilda Sanders*1

Matilda Sanders

0910 - PCd

From: LaSandra Givens
Sent: Friday, September 17, 2004 10:58 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 9/17/2004 10:56:00 AM
Docket Number: 040156-TP
Filename / Path: 040156Extension.LF.DOC
Order Type: Signed / Hand Deliver

3 pgs

RECEIVED MSC
SEP 17 PM 1:52
COMMISSION
CLERK

ORDER ON MOTION FOR EXTENSION OF TIME

SIGNED BY A COMMISSIONER/HARD COPY HAND DELIVERED

5/0

MEMORANDUM

OCTOBER 18, 2004

RECEIVED
OCT 18 2004
Florida Public Service Comm
Commissioner Davidson
RECEIVED - FPSC
OCT 18 3 11 PM
COMMISSIONER
CLERK
b/c

TO: COMMISSIONER CHARLES M. DAVIDSON

FROM: OFFICE OF THE GENERAL COUNSEL (FORDHAM) *c.f.f.*

RE: DOCKET NO. 040156-TP - PETITION FOR ARBITRATION OF AMENDMENT TO INTERCONNECTION AGREEMENTS WITH CERTAIN COMPETITIVE LOCAL EXCHANGE CARRIERS AND COMMERCIAL MOBILE RADIO SERVICE PROVIDERS IN FLORIDA BY VERIZON FLORIDA INC.

Attached is an ORDER ESTABLISHING SCOPE OF PROCEEDINGS which is ready for your review and signature. Please call Lee Fordham (6226) or Jackie Schindler (6754) when it has been signed.

LF/js
Attachment
I:\040156\partiesorder.doc

DOCUMENT NO
07025-06

Official Filing
10/19/2004 1:00 PM*****

Matilda Sanders1

Matilda Sanders

P5C-04-1016-PCO-TP

From: Jackie Schindler
Sent: Tuesday, October 19, 2004 12:55 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 10/19/2004 12:54:00 PM
Docket Number: 040156-tp
Filename / Path: partiesorder.doc
Order Type: Signed / Hand Deliver

3pgs

RECEIVED
OCT 19 PM 1:33
COMMISSION
CLERK

An order establishing scope of proceedings has been signed and moved to gc orders for issuance today

Thanks

js

20. faxed

Kimberley Pena

From: Kimberley Pena
Sent: Tuesday, October 19, 2004 2:43 PM
To: Lee Fordham
Subject: RE: Docket No. 040156

Per this e-mail, we will update mailing list to reflect the companies mentioned in DN 09885-04.

From: Lee Fordham
Sent: Tuesday, October 19, 2004 2:40 PM
To: Kimberley Pena
Subject: Docket No. 040156

Hello Kim

In this Docket, Verizon named about 18 companies on its certificate of service with its new Petition (Document No. 09885-04). Each of those 18 named companies should be classified as a party to this arbitration. (That sure beats the 118 named in the original petition) Thanks.

*Done
10/19/04
KMP*

10/19/2004

CCA Official Filing

10/27/2004 10:36 AM*****

Matilda Sanders*1

Matilda Sanders

1053-PCO

From: Jackie Schindler
Sent: Wednesday, October 27, 2004 10:36 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

4

Date and Time: 10/27/2004 10:35:00 AM
Docket Number: 040156-TP
Filename / Path: 040156\INTERVENTION.DOC
Order Type: Signed / Hand Deliver

An order on petition for intervention has been signed and moved to gc orders for issuance today please fax to all parties - thanks - js

RECEIVED-SPSO
OCT 27 AM 10:49
COMMISSION
CLERK

22/0

CCA Official Filing

11/4/2004 10:32 AM*****

****Matilda Sanders***1**

Matilda Sanders

From: Jackie Schindler
Sent: Thursday, November 04, 2004 10:33 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 11/4/2004 10:32:00 AM
Docket Number: 040156
Filename / Path: 040156issueid.doc
Notice Type: Memo for Issuance

1 pg

A memo noticing an issue id meeting has been moved to gc orders for issuance today - please fax to all parties of record -
thanks
js

3411

CCA Official Filing

11/5/2004 1:08 PM*****

Matilda Sanders1

Matilda Sanders

1100 - PCD

From: Jackie Schindler
Sent: Friday, November 05, 2004 1:07 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

3

Date and Time: 11/5/2004 1:07:00 PM
Docket Number: 040156-tp
Filename / Path: intervene.doc

An order granting intervention has been moved to gc orders for issuance today

Thanks

js

23/0



Florida Cable Telecommunications Association

Steve Wilkerson, President

Charles F. Dudley, General Counsel

VIA FACSIMILE

November 12, 2004

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

RECEIVED-FPSC
04 NOV 12 PM 4:50
COMMISSION
CLERK

RE: FPSC Docket No. 040156

Dear Ms. Bayo:

I am writing to request that the Florida Cable Telecommunications Association, Inc. ("FCTA") be placed on the mailing list of persons interested in monitoring the above-referenced docket. Please send all mailings to the following.

Michael A. Gross
Vice President, Regulatory Affairs & Regulatory Counsel
Florida Cable Telecommunications Association, Inc.
246 E. 6th Avenue, Suite 100
Tallahassee, FL 32303
850/681-1990 Tel.
850/681-9676 Fax
E-Mail Address: mgross@fcta.com.

Thank you for your assistance in this matter. Please contact me with any questions.

Sincerely,

Michael A. Gross
Vice President, Regulatory Affairs
& Regulatory Counsel

MAG:mj

Done 11/15/04 ✓



Florida Cable Telecommunications Association

Steve Wilkerson, President

Charles F. Dudley, General Counsel

VIA FACSIMILE

November 12, 2004

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

RE: FPSC Docket No. 040156

Dear Ms. Bayo:

I am writing to request that the Florida Cable Telecommunications Association, Inc. ("FCTA") be placed on the mailing list of persons interested in monitoring the above-referenced docket. Please send all mailings to the following:

Michael A. Gross
Vice President, Regulatory Affairs & Regulatory Counsel
Florida Cable Telecommunications Association, Inc.
246 E. 6th Avenue, Suite 100
Tallahassee, FL 32303
850/681-1990 Tel.
850/681-9676 Fax
E-Mail Address: mgross@fcta.com.

Thank you for your assistance in this matter. Please contact me with any questions.

Sincerely,

Michael A. Gross
Vice President, Regulatory Affairs
& Regulatory Counsel

MAG:mj

Matilda Sanders

From: Jackie Schindler
Sent: Tuesday, November 16, 2004 4:41 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

1

Date and Time: 11/16/2004 4:37:00 PM
Docket Number: 040156-tp
Filename / Path: issueid#2.doc
Notice Type: Memo for Issuance

A memo noticing an continuation of an issue id meeting has been moved to gc orders for issuance tomorrow - thanks!

js

35/1

Kimberley Pena

To: Jackie Schindler
Cc: Lee Fordham; Felicia Banks
Subject: FW: Docket No. 040156

Per this e-mail we will make changes.

From: Kay Flynn
Sent: Monday, November 22, 2004 4:45 PM
To: Jackie Schindler; Kimberley Pena
Cc: Lee Fordham; Felicia Banks
Subject: RE: Docket No. 040156

I'm forwarding this to Kim and she will promptly handle it!

From: Jackie Schindler
Sent: Monday, November 22, 2004 4:44 PM
To: Kay Flynn
Cc: Lee Fordham; Felicia Banks
Subject: Docket No. 040156

Please make the following change to the service list in this docket - Thanks!

js

From: Williams, Orma [mailto:Orma.Williams@xspedius.com]
Sent: Monday, November 22, 2004 4:43 PM
To: Jackie Schindler
Subject: FW: Information Change

Hello Jackie

Please make necessary changes to forward information to Jim Falvey who is replacing Chad Pifer.

Jim's mailing information is as follows:

Jim Falvey

Sr. VP, Regulatory Department

Xspedius

7125 Columbia Gateway Drive

Suite 200

Columbia, MD 21046

Phone: 301-361-4298

Fax: 301-361-7654

On your phone message is sounded like you have the flu. That can make you feel sooooo bad. Sometimes it takes awhile to kick it. Hope you are feeling better.

If you need anything else don't hesitate to call.
Orma Williams

11/22/2004

*Done
11/22/04
kmp*

LAW OFFICES
Messer, Caparello & Self
A Professional Association

Post Office Box 1876
Tallahassee, Florida 32302-1876
Internet: www.lawfla.com

RECEIVED-PPSC

04 DEC -8 AM 10: 29

COMMISSION
CLERK

December 7, 2004

Ms. Blanca Bayó, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

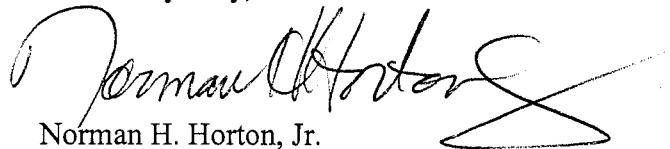
Re: Docket No. 040156-TP - *Petition of Verizon Florida Inc. for Arbitration of an Amendment to Interconnection Agreements with Competitive Local Exchange Carriers and Commercial Mobile Radio Service Providers in Florida*

Dear Ms. Bayó:

Please remove Andrew M. Klein, Esq., of the Kelley Drye Law Firm from the Parties of Record list and substitute Brett Freedson, Esq. of the Kelley Drye Law Firm as counsel for the Competitive Carriers Group. Both Ms. Freedson and Mr. Horton should be shown as official parties of record as counsel for the Competitive Carriers Group.

Thank you for your assistance in this matter.

Yours very truly,



Norman H. Horton, Jr.

Added Horton to
Reson

NHH/amb

Chgd Klein to
Freedson

04 DEC -8 AM 9: 07

DISTRIBUTION CENTER

MEMORANDUM

DECEMBER 7, 2004

RECEIVED FPSC

ON DEC 13 PM 3:43

COMMISSION
CLERK

TO: COMMISSIONER CHARLES M. DAVIDSON

FROM: OFFICE OF THE GENERAL COUNSEL (FORDHAM) *c.f.f.* *DLV*

RE: DOCKET NO. 040156-TP - PETITION FOR ARBITRATION OF
AMENDMENT TO INTERCONNECTION AGREEMENTS WITH CERTAIN
COMPETITIVE LOCAL EXCHANGE CARRIERS AND COMMERCIAL
MOBILE RADIO SERVICE PROVIDERS IN FLORIDA BY VERIZON
FLORIDA INC

Attached is an ORDER ESTABLISHING PROCEDURE, with attachment, which is ready for your review and signature. Please call Lee Fordham or Jackie Schindler when it has been signed.

LF/js
Attachment

Marguerite Lockard

P5C-04-1236-PCO-TP

From: Jackie Schindler
Sent: Monday, December 13, 2004 3:39 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

040156-TP

An ORDER ESTABLISHING PROCEDURE has been moved to GC Orders for issuance TODAY per Commissioner Davidson. I'll be bringing to you in a few minutes.

Thanks.

js

18 pgs

24 mailed

Kimberley Pena

From: Jackie Schindler
Sent: Thursday, February 17, 2005 12:26 PM
To: Kimberley Pena; Kay Flynn
Subject: xspedius

below is the new address for jim falvey at xspedius - docket no. 040156 - please update cms?

thanks!

js

From: Williams, Orma [mailto:Orma.Williams@xspedius.com]
Sent: Thursday, February 17, 2005 12:20 PM
To: Jackie Schindler
Subject: RE: Last Attachment

Hello Jackie!

Your second and last attachment were the same material. Everything has been printed, organized and placed on his chair so he can't miss it when he returns from his travels tomorrow. Thank you for sending the information. I'm sure he will be very appreciative. Have a wonderful day!!!. I don't know if you have Jim's new address or not. We are no longer at 7125 Columbia Gateway Drive, Columbia, Md. 21046. His new address is 14405 Laurel Place, Suite 200, Laurel, MD 20707.

Thanks again! Orma

*Done
02/17/05
kmp*

2/17/2005

Kimberley Pena

From: Kimberley Pena
Sent: Thursday, February 17, 2005 3:03 PM
To: Jackie Schindler
Subject: RE: xspedius

thanks.

From: Jackie Schindler
Sent: Thursday, February 17, 2005 3:03 PM
To: Kimberley Pena
Subject: FW: xspedius

phone numbers stay the same - thanks!

From: Williams, Orma [mailto:Orma.Williams@xspedius.com]
Sent: Thursday, February 17, 2005 3:02 PM
To: Jackie Schindler
Subject: RE: xspedius

Hi Jackie

Jim's address is the only thing that change. His phone is still 301-361-4298 and his fax is still 301-361-7654. If his fax doesn't pick up use mine 301-361-4277. I sent a fax to all the Law Firms we work with when we first moved. Have a very pleasant evening!! Orma

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

From: Jackie Schindler [mailto:JSchindl@PSC.STATE.FL.US]
Sent: Thursday, February 17, 2005 2:42 PM
To: Williams, Orma
Subject: FW: xspedius

Orma - any change in phone number?

js

From: Kimberley Pena
Sent: Thursday, February 17, 2005 2:41 PM
To: Jackie Schindler
Subject: RE: xspedius

Any changes in his phone numbers?

From: Jackie Schindler
Sent: Thursday, February 17, 2005 12:26 PM
To: Kimberley Pena; Kay Flynn
Subject: xspedius

2/17/2005

ok
02/17/05
KVP

below is the new address for jim falvey at xspedius - docket no. 040156 - please update cms?

thanks!

js

From: Williams, Orma [mailto:Orma.Williams@xspedius.com]

Sent: Thursday, February 17, 2005 12:20 PM

To: Jackie Schindler

Subject: RE: Last Attachment

Hello Jackie!

Your second and last attachment were the same material. Everything has been printed, organized and placed on his chair so he can't miss it when he returns from his travels tomorrow. Thank you for sending the information. I'm sure he will be very appreciative. Have a wonderful day!!!. I don't know if you have Jim's new address or not. We are no longer at 7125 Columbia Gateway Drive, Columbia, Md. 21046. His new address is 14405 Laurel Place, Suite 200, Laurel, MD 20707.

Thanks again! Orma

Kay Flynn

040156-TP

From: Lee Fordham
Sent: Friday, April 15, 2005 10:44 AM
To: ALEC Inc. - ; American Dial Tone - Larry Wright; Ann Shelfer; AT&T - Sonia Daniels; Carolyn Marek; Choice One Telecom; David Dowds; DayStar Communications - Dennis Osborn; Donna McNulty; Felicia Banks; Jackie Schindler; Kelley Drye & Warren - Brett Freedson; Kellog Huber Law - Aaron Panner; Kellogg Huber Law - Scott Angstreich; Ken Hoffman; Kimberly Caswell; LecStar Telecom - Michael Britt; Lee Fordham; Level 3 Communications - Greg Rogers; Local Line America - Amy Topper; MCI - De O'roark; Messer Law - Doc Horton; Messer Law - Floyd Self; Messer Law - Gary Early; Mickey Henry; NewSouth Communications - Keiki Hendrix; Pat Lee; Pennington Law - Gene Adams; Richard Chapkis; Saluda Networks - ; Susan Masterton; Tallahassee Telephone Exchange - ; TCG - Brian Musselwhite; Tracy Hatch; Xspedius - Jim Falvey
Subject: Time of Monday prehearing

I have been advised that, due to calendaring complications, the Monday prehearing in this Docket will be starting 30 minutes later. Rather than 3:00pm it will begin at 3:30. I apologize for any inconvenience caused by this change.

Lee

4/15/2005

State of Florida



Public Service Commission

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

DATE: April 21, 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. 040156-TP, PREHEARING HELD 04/18/05.

RE: PETITION FOR ARBITRATION OF AMENDMENT TO INTERCONNECTION AGREEMENTS WITH CERTAIN COMPETITIVE LOCAL EXCHANGE CARRIERS AND COMMERCIAL MOBILE RADIO SERVICE PROVIDERS IN FLORIDA BY VERIZON FLORIDA INC.

DOCUMENT No: 03823-05, 04/20/05

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 the initials "JF".

JF/rlm

State of Florida



Public Service Commission

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

DATE: May 6, 2005

TO: Blanca Bayó, Director, Commission Clerk and Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services

RE: DOCKET NO. 040156-TP, HEARING HELD 05/04/05.

Attached for filing are Exhibits 1 through 21, representing a complete filing of the exhibits identified and admitted into the record during the proceedings held in the above docket.

Acknowledged BY:

A handwritten signature in black ink, appearing to be "Jane Faurot", written over a horizontal line.

JF/rlm

State of Florida



Public Service Commission

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

DATE: May 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. 040156-TP, HEARING HELD 05/04/05.

RE: PETITION FOR ARBITRATION OF AMENDMENT TO INTERCONNECTION AGREEMENTS WITH CERTAIN COMPETITIVE LOCAL EXCHANGE CARRIERS AND COMMERCIAL MOBILE RADIO SERVICE PROVIDERS IN FLORIDA BY VERIZON FLORIDA INC.

DOCUMENT Nos.: VOLUME 1 - 04488-05, 05/06/05
 VOLUME 2 - 04489-05, 05/06/05

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:

Mls

JF/rlm

Kimberley Pena

From: Kay Flynn
Sent: Friday, May 13, 2005 4:54 PM
To: Ann Shelfer
Cc: Nonnye Grant; Kimberley Pena
Subject: RE: Change in Contact Person for Supra

TX088
001305-
040301- Done
041269- 05/16/05
KMP

Thanks, Ann.

Nonnye, please update MCD as appropriate.
Kim, please update mailing info in open dockets as appropriate.

990649 ✓
990649A ✓
990649B ✓
000121A ✓
040156 ✓
041338 ✓

Thanks.
Kay

From: Ann Shelfer
Sent: Friday, May 13, 2005 4:41 PM
To: Kay Flynn
Subject: RE: Change in Contact Person for Supra

Let me try again.

Ann H. Shelfer
Supra Telecom
V.P. - Regulatory Affairs
Tallahassee, FL
850/402-0510 (Office)
850/402-0522 (Fax)

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

From: Shelfer, Ann
Sent: Friday, May 13, 2005 4:39 PM
To: 'kflynn@psc.fl.us'
Cc: Chaiken, Brian
Subject: Change in Contact Person for Supra

Kay,

Please remove my name and contact information; and change MCD and all open dockets that Supra are a participant/party to the following person:

Brian Chaiken
Executive V.P. of Legal Affairs
Supra Telecom
2901 SW 149th Ave., Suite 300
Miramar, FL 33027
(786) 455-4248 (office)
(786) 455-4600 (fax)

Thank you for all your assistance throughout the years. Brian will provide you with any information that you may need in the future. I have also notified Consumer Affairs (Carmen) of this change.

5/16/2005

Ann H. Shelfer
Supra Telecom
V.P. - Regulatory Affairs
Tallahassee, FL
850/402-0510 (Office)
850/402-0522 (Fax)

Matilda Sanders

CORRESPONDENCE

From: Glenda Chapman [gchapman@mail.fdn.com]
Sent: Wednesday, December 21, 2005 6:04 PM
To: Filings@psc.state.fl.us
Cc: TTE; Amy Topper; Ann Shelfer; Brian Musselwhite; Carolyn Marek; Charles E. Watkins; Dana Shaffer; David Christian; Dennis Osborn; Donna McNulty; Edward Griffin; Floyd Self; Genevieve Morelli; Greg Rogers; Jean Cherubin; JP DeJoubner; Keiki Hendrix; Larry Wright; Lee Fordham; Leigh Hyer; Mark Hayes; Michael E. Britt; Michael Gross; Mike Duke; Norman Horton; R. Michael Ray; Russell Blau; Saluda Networks; Sonia Daniels; Susan Masterton; Thomas Koutsky; Tracy Hatch
Subject: Recall: Corrected E-filing for FPSC Docket No. 040156-TP
Expires: Friday, December 23, 2005 6:05 PM

The sender would like to recall the message, "Corrected E-filing for FPSC Docket No. 040156-TP".

RECEIVED-FPSC
05 DEC 22 AM 7:47
COMMISSION
CLERK

Matilda Sanders

From: Glenda Chapman [gchapman@mail.fdn.com]
Sent: Wednesday, December 21, 2005 6:02 PM
To: Filings@psc.state.fl.us
Cc: TTE; Amy Topper; Ann Shelfer; Brian Musselwhite; Carolyn Marek; Charles E. Watkins; Dana Shaffer; David Christian; Dennis Osborn; Donna McNulty; Edward Griffin; Floyd Self; Genevieve Morelli; Greg Rogers; Jean Cherubin; JP Dejoubner; Keiki Hendrix; Larry Wright; Lee Fordham; Leigh Hyer; Mark Hayes; Michael E. Britt; Michael Gross; Mike Duke; Norman Horton; R. Michael Ray; Russell Blau; Saluda Networks; Sonia Daniels; Susan Masterton; Thomas Koutsky; Tracy Hatch
Subject: Corrected E-filing for FPSC Docket No. 040156-TP
Attachments: FDN Motion for Reconsideration.doc

To: Division of the Commission Clerk and Administrative Services

Please find attached for filing in the captioned docket FDN Communication's Motion for Reconsideration.

In accordance with the Commission's e-filing procedures, the following information is provided:

(a) The person responsible for this filing is:

Name: Matthew J. Feil, General Counsel
Address: FDN Communications
2301 Lucien Way, Ste. 200
Maitland, FL 32751
Phone No: 407-835-0460
Email: mfeil@mail.fdn.com

- (b) Docket No. and Title: 040156-TP, Petition for arbitration of amendment to interconnection agreements with certain competitive local exchange carriers and commercial mobile radio service providers in Florida by Verizon Florida Inc.
- (c) The party on whose behalf the document is filed: Florida Digital Network, Inc. d/b/a FDN Communications
- (d) Number of pages of the document: 10 pages.
- (e) Description of each document attached: Motion for Reconsideration and Motion for Temporary Relief from Enforcement by Florida Digital Network, Inc. d/b/a FDN Communications.

Thank You!

Glenda Chapman

Executive Administrative Assistant

407-835-0389 (phone)

407-447-3913 (e-fax)

Life is like a coin, you can spend it any way you wish, but you can only spend it once....

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Arbitration of)
Amendment Interconnection Agree-)
ments with Certain Competitive)
Local Exchange Carriers and)
Commercial Mobile Radio Service)
Providers in Florida by Verizon)
Florida, Inc.)
_____)

Filed: December 20, 2005

Docket No.: 040156-TP

**MOTION FOR RECONSIDERATION AND MOTION FOR TEMPORARY
RELIEF FROM ENFORCEMENT BY
FLORIDA DIGITAL NETWORK, INC.
d/b/a FDN COMMUNICATIONS**

Pursuant to Rules 25-22.060 and 25-28.106.204, Florida Administrative Code, Florida Digital Network, Inc., d/b/a FDN Communications (“FDN”) respectfully moves the Commission to reconsider its Final Order issued in the captioned case on December 5, 2005.¹ Further, since the Final Order requires parties to submit a conforming amendment within 30 days, the Commission should either extend that period or refrain from enforcing that part of its Order or the conforming amendment to the extent relating to the subject of this motion. In support of this Motion, FDN states as follows:

SUMMARY

1. This motion concerns one specific aspect of the Final Order: the Order’s imposition of a cap of ten DS-1 dedicated transport circuits on all routes between all Verizon wire centers, regardless of tier, rather than just to those routes where DS-3

¹ Order No. PSC-05-1200-FOF-TP (hereinafter “Final Order” or the “Order”).

dedicated transport is unimpaired, i.e., routes between Tier 1 or Tier 2 wire centers.² This part of the Final Order must be reconsidered and reversed.

2. In deciding on a DS-1 dedicated transport cap that applied universally, the Commission overlooked several points of law and failed to consider and to apply the rules of statutory construction and the FCC's intent in establishing the DS-1 dedicated transport cap.

3. The Final Order effectively deletes critical language from the text of the TRRO and impermissibly rewrites the TRRO by applying the DS-1 dedicated transport cap to all wire centers regardless of tier. Under the Final Order, the cap improperly applied in all settings, even where it makes no net difference whatsoever to the impairment analysis. Further, the DS-1 dedicated transport cap should apply consistently from ILEC to ILEC throughout the state, and in BellSouth territory, at least, the cap will only apply on routes where DS-3 transport is unimpaired.³

4. The Commission should not require the parties to file a conforming amendment to address the issue which is the subject of this motion or should refrain from enforcing its Order or an amendment insofar as they relate to the issue which is the subject of this motion until this matter is resolved. It would be inefficient and wasteful for the CLECs and for Verizon, as well as disruptive to CLEC end use customers, to require the rearrangement of any UNE DS-1 transport circuits over the maximum of 10

² See Final Order at p. 36.

³ The Prehearing Order in Docket No. 041269-TP, BellSouth's generic change of law proceeding, the parties did not dispute that the cap of 10 DS-1 dedicated transport circuits applied only on routes where DS-3 transport is unimpaired. Order No. PSC-05-1054-PHO-TP, issued October 31, 2005, p. 48. In addition, in Docket No. 041464, an interconnection agreement arbitration case between FDN and Sprint, the staff recommendation provides that the cap of 10 DS-1 dedicated transport circuits should only apply on routes where DS-3 transport is unimpaired. The Commission approved that staff recommendation at the Dec 20 Agenda Conference.

circuits if the Commission were to ultimately reverse itself on reconsideration as FDN requests.

standard OF REVIEW ON RECONSIDERATION

5. A motion for reconsideration should be granted if it identifies a point of fact or law that was overlooked or which the Commission failed to consider in rendering its Order.⁴ The motion should be based upon matters set forth in the record and susceptible to review.⁵

6. FDN maintains that the standard of review for granting a motion for reconsideration is met in this case because the Final Order overlooks the points of law identified below.⁶

RECONSIDERATION ARGUMENT

7. An analysis of the issue presented by this motion should start with the TRRO itself. Paragraph 128 of the TRRO states in part:

On routes for which we determine that there is no unbundling obligation for DS3 transport, but for which impairment exists for DS1 transport, we limit the number of DS-1 transport circuits that each carrier may obtain on that route to 10 circuits. . . . When a carrier aggregates sufficient traffic on DS1 facilities such that it effectively could use a DS 3 facility, we find that our DS3 impairment conclusions apply.

⁴ See *Stewart Bonded Warehouse, Inc. v. Bevis*, 294 So. 2d 315 (Fla. 1974); *Diamond Cab Co. v. King*, 146 So.2d 889 (Fla. 1962), *Pingree v. Quaintance*, 394 So.2d 162 (Fla. 1st DCA 1981); *In Re Aloha Utilities, Inc.*, Docket No. 991643-SU, Order PSC-01-0961-FOF-SU, 2001 WL 521385, *4 (2001).

⁵ *Id.*

⁶ FDN's position is supported by evidence in the record. The prefiled direct testimony and prefiled exhibit of the Competitive Carrier Group ("CCG") support the contention that the cap of 10 DS-1 dedicated transport circuits should only apply on routes where DS-3 transport is unimpaired. See Tr. 165 – 166 (prefiled direct of CCG panel, pp. 23 – 24) and Exhibit No. 16, pp. 27.

(Emphasis added.) In Appendix B to the TRRO, the new rule § 51.319(e)(2)(B) states in pertinent part:

A requesting telecommunications carrier may obtain a maximum of ten unbundled DS1 dedicated transport circuits on each route where DS1 dedicated transport is available on an unbundled basis.

In examining these two quoted provisions, the Final Order in the instant docket observes,

The language in the TRRO and the language in the rule can lead to different conclusions regarding the DS1 cap. However, we must look to the rule for guidance on this matter. If the parties believe the FCC's TRRO is not clear on this matter, they could seek clarification from the FCC.⁷

8. The Commission failed to consider that applying the cap as the Final Order suggests (without a proviso for DS3 unimpaired routes) cannot be achieved unless one effectively deletes significant portions of ¶ 128. Paragraph 128 begins, “On routes for which we determine that there is no unbundling obligation for DS3 transport.” This stated proviso, if the Final Order is not reconsidered, would be rendered superfluous and pointless, since the DS1 cap would apply whether DS3 impairment exists or not. Taking the argument a step further, if the DS-1 cap applied universally, there would be no reason for the FCC to also state at the end of ¶ 128, “we find that our DS3 impairment conclusions apply,” because those impairment conclusions would be without effect should the DS1 cap apply to every route. In short, one cannot reconcile the Final Order's interpretation of the DS-1 cap with the terms of ¶ 128 unless the above language from ¶ 128 was deleted in its entirety.

9. If there is a lack of clarity in the TRRO regarding when the cap of 10 UNE DS1 dedicated transport circuits applies and when it does not, the Final Order's

⁷ Final Order at p. 36.

interpretation/application of the TRRO -- that the cap applies universally to all dedicated transport routes -- does not resolve the issue in a way that (a) harmonizes all parts of the TRRO and gives meaning to all of the TRRO's provisions and (b) makes a net difference to the impairment analysis. The Final Order is thus inconsistent with the rules of statutory construction and the FCC's intent. By granting this motion for reconsideration, the Commission will harmonize all parts of the TRRO, will give meaning to all provisions of the TRRO, rather than delete provisions, and arrive at an end result consistent with impairment analysis.

10. There is no apparent ambiguity in ¶ 128 standing alone; but when ¶ 128 is read in conjunction with the rule, the Final Order suggests the presence of ambiguity or conflict.⁸ To the extent that the Final Order finds a conflict exists (perhaps as an "as applied" conflict) and by asserting the rule language should control, the Final Order effectively rewrites the TRRO, deleting all of the language referenced above from paragraph 128.

11. In the TRRO, the FCC created three tiers of wire centers and linked the dedicated transport impairment analyses to those tiers. DS3 dedicated transport is unimpaired where the end points of the route are either Tier I or II. And both DS1 and DS3 dedicated transport are unimpaired where the end points of a route are both Tier I.⁹ The crux of this dispute on reconsideration is with transport involving Tier III wire centers, because dedicated transport between a Tier I, II or III wire center and a Tier III

⁸ Direct conflict would exist if, for instance, the rule expressly stated that the cap applied on all routes where there is an unbundling obligation for DS3 transport.

⁹ Per Exhibit No. 10 (AFC-1), page 4, there are thirteen Tier I or Tier II wire centers in Verizon Florida territory, leaving all other Verizon wire centers in Florida as Tier III wire centers, by definition. 47 CFR § 319(e)(3)(iii).

wire center is, with very limited exception, **always** impaired.¹⁰ Notably, the FCC did not make an explicit finding of nonimpairment as to DS-1 dedicated transport where a Tier III wire center was involved, and the impairment analysis remanded to the FCC by the D.C. Court of Appeals is the focus of the TRRO.

12. Even though a carrier could order absolutely massive amounts of unbundled DS3 transport capacity, up to 12 UNE DS3s or the equivalent of 336 DS-1 channels,¹¹ from a Tier I, II or III wire center to a Tier III wire center because DS-3 transport is unimpaired, the Final Order would hold that a carrier cannot order more than 10 UNE DS1s on that route.¹² On its face, this makes no practical sense. Logically, the only time ordering equivalent services would enter the impairment equation is when a carrier is trying to “game” the system by ordering infinite UNE DS1s to avoid the prohibition on ordering UNE DS3s. And that is the very position FDN advocates here. Taking the Verizon side of the argument to its logical conclusion means: (1) the FCC was not concerned at all with impairment when it came to UNE DS1 transport and Tier III wire centers, but, for some unexplained purpose, was concerned with incenting CLECs to order more DS3s and fewer DS1s and (2) for the majority of the dedicated transport routes in the country and in Verizon Florida territory, CLECs must (a) reconfigure existing DS1 UNE transport circuits, including those combined with loops in EELs,

¹⁰ The only exception, per Rule 47 CFR § 51.319(e)(2)(iii)(B), is the limit of 12 unbundled DS3 dedicated transport circuits on routes where DS3 transport is impaired. In effect, impairment for a particular carrier on a particular route stops at a particular volume of DS3 circuits, i.e. 12 DS3s.

¹¹ See TRRO ¶ 128.

¹² Verizon may emphasize (and take the FCC out of context) that it is “consistent with the pricing efficiencies of aggregating traffic” to order a DS3 transport circuit on a route where a carrier will have 11 or more DS1s. Even if one accepted this perceived efficiency as true, where DS3 dedicated transport is impaired, a carrier’s ordering DS1 after DS1 instead of a DS3 does not change the fact that DS3s are available as UNEs, and in large quantities, on that route. The TRRO’s focus is impairment, not perceived pricing/ordering efficiencies as some sort of separately identifiable problem. Besides, as will be explained above, it is ludicrous to suggest that it is somehow “efficient” to disrupt the service of existing customers served via DS1 circuits in favor of putting them on a DS3 when both UNE DS1s and DS3s are available on the same route anyway and there is no net difference to impairment.

seriously disrupting the service for thousands of customers,¹³ and (b) change the way they order UNE DS1 transport and EELs when doing so makes no difference whatsoever when it comes to impairment.

13. The intent of ¶ 128 of the TRRO is obvious. The FCC placed a cap of 10 UNE DS1s on routes where DS3 was unimpaired because the FCC did not want requesting carriers to by-pass the DS3 impairment test through ordering an infinite number of UNE DS-1s that would equal or exceed a disallowed UNE DS3. In other words, the FCC closed a possible loop hole in the impairment analysis, finding that 11 UNE DS1s are the economic equivalent to one UNE DS3.¹⁴ The cap serves no legal purpose otherwise.

14. The FCC itself has held that its orders and the rules adopted thereby **should be read in conjunction** with one another and the FCC's other rules.¹⁵ In other words, one should not read an FCC rule by turning a blind eye to the orders which spawned and explicate the rule. This, the Final Order failed to consider. Indeed, the Commission recognized "different results" could be found by comparing ¶ 128 with § 51.319(e)(2)(B) and therefore the Commission should have invoked the rules of statutory construction to aide its interpretation. Two pillars of statutory construction of particular applicability here are (a) that one must read all provisions of a statute or rule together to give all of the words in the statute or rule meaning and (b) that all related statutes or rules must be read

¹³ The majority of Verizon's wire centers will be Tier III, and it is in Tier III wire centers where, by definition, there are fewer customers, where collocation is less likely and where, therefore, EELs are more likely. Hence, if the DS1 cap applies universally to all tiers and routes, there is a great likelihood of customer disruption for UNE DS1 transport circuits to be groomed onto a UNE DS3 transport circuit or otherwise rearranged.

¹⁴ The cap of ten DS-1 UNE loops per building exists to close a similar "escape" in the impairment analysis regarding loops. Only ten UNE DS1 loops per building are permitted because the FCC obviously did not want carriers to bypass the one UNE DS3 loop per building limit by ordering an infinite number of UNE DS1 loops to the same building.

¹⁵ *In the Matters of TSR Wireless, LLC, et al. v. U.S. West Communications, Inc.*, 2000 WL 796763 (FCC), 15 F.C.C.R. 11166.

in pari material to give effect to each part. See, e.g. Palm Beach County Canvassing Bd. v. Harris, 772 So.2d 1273 (Fla. 2000), and Forsythe v. Longboat Key Beach Erosion Control Dist., 604 So.2d 452, 455 (Fla. 1992). As explained above, the only way the Commission can affirm the Final Order on this issue is if the Commission deletes significant portions of ¶ 128 of the TRRO. FDN asserts that instead, the Commission must interpret ¶ 128 of the TRRO and its adopted rule § 51.319(e)(2)(ii)(B) together, and as a whole, so that none of the FCC's words are effectively omitted and the FCC's obvious intent to close a loop hole in the impairment analysis is honored. This can be done if, consistent with ¶ 128, the cap of ten UNE DS1 dedicated transport circuits applies only "[o]n routes for which we determine that there is no unbundling obligation for DS3 transport, but for which impairment exists for DS1 transport." This interpretation does not delete or negate any portion of rule § 51.319(e)(2)(ii)(B), but harmonizes the rule with ¶ 128.

15. Even if clarification from the FCC were appropriate under the circumstances,¹⁶ the Commission should not rewrite the TRRO pending a clarification and take the most restrictive interpretation possible, particularly where that position will cause needless disruption to end use customers while their services are rearranged.

16. Throughout BellSouth's nine-state region, the cap of 10 DS1 dedicated transport circuits will only apply to routes where DS3 transport is unimpaired.¹⁷ In the FDN-Sprint arbitration, the Commission approved the same application of the DS-1 cap.

¹⁶ While pending requests at the FCC may address the DS1 cap issue, unfortunately, the FCC has been very slow in recent years to address reconsideration/clarification requests.

¹⁷ See the Prehearing Order in Docket No. 041269-TP, BellSouth's generic change of law proceeding in Florida, Order No. PSC-05-1054-PHO-TP, issued October 31, 2005, p. 48. BellSouth agreed to interconnection agreement language reflecting this application of the cap for all states in its region.

Based on its research, FDN acknowledges state commissions have reached mixed results on the DS1 cap issue. While states like Michigan and Ohio have looked only at the rule and held the cap of 10 DS1 dedicated transport circuits applies to every route, New York and Maine have harmonized the rule and the order and found that the cap only applies on routes where DS3 is unimpaired. FDN maintains that on an issue involving the application of a single FCC rule on impairment, there should be consistency among the Florida ILECs and one rule for the entire State. The Final Order did not address consistency in Florida. For the reasons explained above, and to minimize customer disruption, the rule in Florida for all ILECs should be consistent with the rule adopted for BellSouth and Sprint.

RELIEF FROM ENFORCEMENT OF ORDER

17. A motion for reconsideration generally may not stay the effect of the order being reconsidered. Rule 25-22.060(c), Florida Administrative Code. Therefore, until this matter is resolved,¹⁸ FDN requests that the Commission either temporarily not require the parties to file a conforming amendment to address the issue which is the subject of this motion or temporarily refrain from enforcing its Order or amendments insofar as they relate to the issue which is the subject of this motion. It would be inefficient, expensive and wasteful for the CLECs to submit orders and for Verizon to process orders for the rearrangement of any UNE DS-1 transport circuits over the maximum of 10 circuits on every route in Verizon Florida territory if the Commission were to ultimately reverse itself on reconsideration as FDN requests. Additionally, as

¹⁸ FDN contemplates this temporary relief would extend until an order on reconsideration is issued and the Commission's directives, if any, are carried out. Thus, if the Commission ruled in FDN's favor on reconsideration, the relief would extend until an order on reconsideration was issued and conforming amendments were filed and approved, if the Commission so directed. Any parties that may choose to appeal the Commission's ruling on the motion for reconsideration would have to seek a stay pending appeal by separate pleading.

stated above, such rearrangements will cause disruption to end use customer's service – a disruption that may ultimately prove unnecessary.

18. FDN maintains that Verizon is not harmed in any meaningful way by this request for temporary relief.

conclusion

For the foregoing reasons, the Commission should grant this motion by ordering the following: (a) the cap of ten DS-1 dedicated transport circuits shall only apply on routes where DS-3 dedicated transport is impaired, (b) amendments conforming with the Commission's approval of this motion will be filed within 30 days of the Commission's order, (c) the Commission will not require the parties to this docket to file a conforming amendment to address the DS-1 cap per the Final Order and/or will refrain from enforcing the Final Order as to the DS-1 cap until this issue is resolved.

Respectfully submitted this 20th of
December, 2005.

_____/s/_____
Matthew Feil
FDN Communications
2301 Lucien Way, Suite 200
Maitland, FL 32751
(407) 835-0460
mfeil@mail.fdn.com

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Arbitration of)
Amendment Interconnection Agree-)
ments with Certain Competitive)
Local Exchange Carriers and)
Commercial Mobile Radio Service)
Providers in Florida by Verizon)
Florida, Inc.)

Docket No.: 040156-TP

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by e-mail, for those with an email address listed below, and U.S. mail to the persons listed below this 20th day of December 2005.

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Mr. Mark Hayes
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Florida Public Service Commission
Mr. Lee Fordham
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

This 20th day of December, 2005.

_____/s/_____
Matthew Feil
FDN Communications
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January 5, 2006

Blanca S. Bayo
Commission Clerk and Administrative Services Director
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED-FPSC
05 JAN -9 AM 9:55
COMMISSION
CLERK

Re: Service List for Docket No. 040156-TP

Dear Ms. Bayo:

Please change the name on the service list for Docket No. 040156-TP from Michael C. Sloan to Phil Macres. Michael is no longer with the firm.

Thank you.

Sincerely,



Erica Hudson Carden
TMT Administrative Coordinator

This was already done.

*RUN.
1/9/06*

93 2 W 6- NYC 90

RECEIVED-FLPSC

Marguerite Lockard

PSC-06-0078-FOF-TP

From: Jackie Schindler
Sent: Friday, February 03, 2006 11:28 AM
To: CCA - Orders / Notices; Lee Fordham
Subject: Order / Notice Submitted

Date and Time: 2/3/2006 11:26:00 AM
Docket Number: 040156-tp
Filename / Path: 040156\reconord.doc

15 pgs

An ORDER DENYING MOTIONS FOR RECONSIDERATION AND GRANTING CLARIFICATION OF CERTAIN PORTIONS OF ORDER NO. PSC-05-1200-FOF-TP has been moved to GC Orders for issuance today.

Thanks.

js

42 mailed.

Kay Flynn

From: Kay Flynn
Sent: Thursday, February 09, 2006 7:29 AM
To: Patrick Wiggins; Jackie Schindler
Cc: Kimberley Pena
Subject: RE: Docket no. 040156-TP

Will do.

Kay

Done 2/9/06
 14

From: Patrick Wiggins
Sent: Wednesday, February 08, 2006 5:34 PM
To: Jackie Schindler; Kay Flynn
Subject: RE: Docket no. 040156-TP

Go ahead and remove VZW. Won't be a problem. Thanks. Patrick

From: Jackie Schindler
Sent: Wednesday, February 08, 2006 11:05 AM
To: Kay Flynn
Cc: Patrick Wiggins
Subject: RE: Docket no. 040156-TP

I don't know - but he does need to be off the service list somehow...

Patrick - please see Kay's response below and let her know how to handle it? Thanks.

js

From: Kay Flynn
Sent: Wednesday, February 08, 2006 11:04 AM
To: Jackie Schindler
Subject: RE: Docket no. 040156-TP

Yes, that helps. But if I remove that entry, Verizon Wireless won't be on the list at all as interested persons.

Is that a problem?

From: Jackie Schindler
Sent: Wednesday, February 08, 2006 11:02 AM
To: Kay Flynn
Subject: RE: Docket no. 040156-TP

he got a copy of the order in the mail...it was addressed to 'Verizon Wireless (Wiggins)' - does that help?

From: Kay Flynn

2/9/2006

Sent: Wednesday, February 08, 2006 11:02 AM
To: Jackie Schindler
Subject: RE: Docket no. 040156-TP

I'm looking but I don't see that entry on the parties list!

From: Jackie Schindler
Sent: Wednesday, February 08, 2006 10:51 AM
To: Kay Flynn
Subject: Docket no. 040156-TP



Hi Kay,

Can you please remove Patrick (Wiggins Law Firm) from the mailing list in this docket?

Thanks.

Jackie

Matilda Sanders

0212-FOF

From: Jackie Schindler
Sent: Wednesday, March 15, 2006 11:48 AM
To: CCA - Orders / Notices; Lee Fordham; Pat Lee; David Dowds
Subject: Order / Notice Submitted

Date and Time: 3/15/2006 11:47:00 AM
Docket Number: 040156-TP
Filename / Path: approveamendment.doc

39

attach's online

An ORDER ON ARBITRATION has been moved to GC Orders for issuance today. Thanks.

js

41 mailed