Message	Page 1 of 2
Marguerite Lockard	-
From:       Marguerite Lockard         Sent:       Friday, July 08, 2005 1:11 PM         To:       Laura King         Subject:       RE:         Deposition Transcripts (Exhibits)	
ok, thanks	
From: Laura King         Sent: Friday, July 08, 2005 12:26 PM         To: Marguerite Lockard         Subject: FW: Deposition Transcripts (Exhibits)         O41199-TP         FYI-Staff will not be copying the deposition transcripts as originally the	FPSC, CLK - CORRESPONDENCE Administrative Parties Consumer DOCUMENT NO.07626-06 DISTRIBUTION:
From: Nekey Garcia Sent: Friday, July 08, 2005 12:19 PM To: Laura King; Nancy Pruitt Subject: FW: Deposition Transcripts (Exhibits) 06423-05 06424-05	
(06424-05)	
From: Beth Keating Sent: Friday, July 08, 2005 12:18 PM To: 'Floyd Self'; Susan Masterton Cc: Nekey Garcia Subject: RE: Deposition Transcripts (Exhibits)	
That's fine with me, too. And it makes sense. Again, thanks to you both!	
From: Floyd Self [mailto:fself@lawfla.com] Sent: Friday, July 08, 2005 12:16 PM To: Beth Keating; Susan Masterton Subject: RE: Deposition Transcripts (Exhibits)	
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Susan and Beth,	
Since Sprint is going to know what parts of the Sprint witnesses depos for the KMC witnesses, it seems to make the most sense that KMC will witnesses and Sprint can provide the copies of the Sprint witnesses.	

I already have the KMC folks working on making redacted copies of their respective transcripts.

Does that work for you all???

7/8/2005

Message Page 2 of 2 Beth, yes I am okay with making the copies. Floyd R. Self, Esq. Messer, Caparello & Self, P.A. Direct Phone: 850-425-5213 Email Address: <fself@lawfla.com> Web Address: <www.lawfla.com> >>> "Masterton, Susan S [CC]" <susan.masterton@mail.sprint.com> 7/8/2005 12:10:11 PM >>> Sure - should we do the KMC witnesses we deposed or our witnesses who were deposed by KMC? Susan S. Masterton Attorney - Sprint External Affairs 1313 Blair Stone Road P.O. Box 2214 Tallahassee, FL 32316-2214 Phone: 850-599-1560 Fax: 850-878-0777 susan.masterton@mail.sprint.com -----Original Message-----From: Beth Keating [mailto:BKeating@PSC.STATE.FL.US] Sent: Friday, July 08, 2005 12:09 PM To: Masterton, Susan S [CC]; Floyd Self Subject: Deposition Transcripts (Exhibits)

Would it be possible for you guys to make the copies of the deposition transcripts and depo exhibits for hearing? Staff will not be able to make complete copies. Turns out that Jane was out last week, so our copies of the depos didn't get ordered until this week. The originals had already gone out with the exhibits attached. Thus, we will not have complete copies of the depositions to copy. . . we only have the transcripts. We would only need 5 copies. . .and we can provide the red folders if necessary.

Importance: High



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Jublic Serbice Commission

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

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

DATE:	July 8, 2005
TO:	Dale N. Mailhot, Assistant Director, Division of Competitive Markets and SAS for Enforcement
FROM:	Laura V. King, Public Utilities Supervisor, Division of Competitive Markets &
RE:	Request to Copy Confidential Information in Docket No. 041144-TP

I would like to request permission to make 4 copies of the confidential documents listed below. These documents will be discussed at the hearing and will be entered into the record as confidential exhibits. If you have any questions, please let me know.

Docket No. 041144-TP – Confidential Documents to be Copied	
Deposition Transcript of James Burt (Document number not yet known)	
Deposition Transcript of Ritu Aggarwal (Document number 06418-05)	
Deposition transcript of Ronald Twine (Document number 06423-05)	
Deposition Transcript of Paul Calabro (Document number 06424-05)	
Deposition Transcript of Marva Johnson (Document number not yet known)	
Deposition Transcript of William Wiley (Document number not yet known)	
Deposition Transcript of Christopher Schaffer (Document number not yet known)	
Deposition Transcript of Sam Miller (Document number not yet known)	

Company: KMC Da KMC Te KMC Te	<u>-TP</u> Date Docketed: <u>09</u> ta LLC Tecom III LLC Tecom V, Inc. -Florida, Incorporated	<u>/24/2004</u>	Title:	and KMC charges tariffs	int again 5 Data LL 5 pursuan 5 and for by Sprint	C for al t to its alleged	leged fa interco violati	ilure to nnection on of Sec	pay intra agreement	state a : and Sp	ccess rint's
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ection 1 - Bureau of Records Complete.

\* COMPLETED EVENTS

FPSC-COMMISSION CLERK

)ocket No. 041144-TP Date Docketed: 09/24/2004 Title: Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's KMC Data LLC tariffs and for alleged violation of Section 364.16(3)(a), Company: KMC Telecom III LLC F.S., by Sprint-Florida, Incorporated. KMC Telecom V, Inc. Sprint-Florida, Incorporated Expiration: Official Filing Date: \_\_\_\_ Last Day to Suspend: \_\_\_\_ (GCL) MMS PIF RCA SCR Referred to: CCA CMP ECR FLL ("()" indicates OPR) Х Х Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT Program Module A9 IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770 Staff Assignments Due Dates 0 Current CASR revision level OPR Staff D Rockette-Gray Previous Current L Fordham NONE 10/25/2004 1. Company Response 2. 3. 4. 5. 6. 7. Staff Counsel D Rockette-Gray 8. L Fordham 9. 10. 11. 12. OCRs 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. Recommended assignments for hearing 30. and/or deciding this case: 31. 32. Full Commission X Commission Panel 33. Hearing \_\_\_\_ Staff 34. 35. Date filed with CCA: <u>10/07/2004</u> 36. 37. Initials OPR 38. Staff Counsel 39. 40 Section 3 - Chairman Completes Assignments are as follows: - Hearing Officer(s) Prehearing Officer Staff Commissioners ADM Commissioners Hrg Exam DV DV ΒZ DS JB BD ALL ΒZ DS JB BD Х Х Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case. Approved: Where one Commissioner, a Hearing Examiner or a Staff Member is

assigned the full Commission decides the case.

Section 1 - Bureau of Records Completes

10/07/2004

Date:

<u>Case Assignment</u>	and	Scheduling	Record
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Section 1 - Bur	eau of Records Com	plete						1			
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Section 1 - Bureau of Records Completes

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Section 1 - Bureau of Records Completes

Section 1 -	Bureau	of Records	Completes
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- Company: KMC Data LLC KMC Telecom III LLC KMC Telecom V, Inc. Sprint-Florida, Incorporated
- Docket No. 041144-TP Date Docketed: 09/24/2004 Title: Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

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Section 1 - Bureau of Records Completes

\* COMPLETED EVENTS

#### Section 1 - Bureau of Records Completes

- Company: KMC Data LLC KMC Telecom III LLC KMC Telecom V, Inc. Sprint-Florida, Incorporated
- Docket No. 041144-TP Date Docketed: 09/24/2004 Title: Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

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Company: KMC	Data LLC		tariffs and for alleged violation of Sect F.S., by Sprint-Florida, Incorporated.							
	Telecom III LLC		F.S., by Sprint-	Florida, Incorp	orated.					
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# Case Scheduling/Rescheduling Advice

### Last Revised 01/31/2005 at 13:21

Page 1 of 1

### Printed on 01/31/2005 at 13:31

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

From: Office of Chairman Braulio Baez

Docket Number: 041144-TP

**Docket Title:** Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

### 1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference		05/02/2005	Tallahassee, Room 152	3:00 PM - 4:30 PM
Hearing		05/18/2005	Tallahassee, Room 148	9:30 AM - 5:00 PM
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### 2. Hearing/Prehearing Assignment Information

	Former Assign	iments		-	Current Assignments				
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<u>Prehearing</u> Officer	Commissioners				Commissioners				
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Remarks: OEP P	SC-05-0125-PCO-TP, 1/31/05								

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### CCS Form Number: 041144-TP-00002-001

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- Company: KMC Data LLC KMC Telecom III LLC KMC Telecom V, Inc. Sprint-Florida, Incorporated
- Docket No.<u>041144-TP</u> Date Docketed: <u>09/24/2004</u> Title: Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

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<u>Section 1</u>	- Bureau of Records Completes		
Docket No	. <u>041144-TP</u> Date Docketed: <u>09/24/2004</u>	Title:	Complaint against and KMC Data LLC charges pursuant
Company:	KMC Data LLC KMC Telecom III LLC		tariffs and for a F.S., by Sprint-F

KMC Telecom V, Inc.

Sprint-Florida, Incorporated

Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

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#### Section 1 - Bureau of Records Complete

- Company: KMC Data LLC KMC Telecom III LLC KMC Telecom V, Inc. Sprint-Florida, Incorporated
- Docket No. 041144-TP Date Docketed: 09/24/2004 Title: Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

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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:

13131 th 03/24/2005

# Case Scheduling/Rescheduling Advice

### Last Revised 03/28/2005 at 13:17

Printed on 03/28/2005 at 14:08

Page 1 of 1

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

From: Office of Chairman Braulio Baez

### Docket Number: 041144-TP

**Docket Title:** Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

#### **1. Schedule Information**

Event	Former Date	New Date	Location	Time
Prehearing Conference	05/02/2005	06/20/2005	Tallahassee, Room 148	1:30 PM - 3:00 PM
Hearing	05/18/2005	07/12/2005	Tallahassee, Room 148	9:30 AM - 5:00 PM
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### 2. Hearing/Prehearing Assignment Information

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<u>Prehearing</u> Officer	Commissioners				Commissioners				
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<b>Remarks:</b> OEP P	SC-05-0125-PCO-TP, 1/31/05								

Section 1 -	Bureau	of	Records	Complete

Docket No. <u>041144-TP</u> Date Docketed: <u>09/24/2004</u> Title	Docket No. <u>041144-TP</u>	Date Docketed:	<u>09/24/2004</u>	Title
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- Company: KMC Data LLC KMC Telecom III LLC KMC Telecom V, Inc. Sprint-Florida, Incorporated
- Title: Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

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Section 1 - Bureau of Records Completes

# Case Scheduling/Rescheduling Advice

### Last Revised 06/03/2005 at 09:41

Printed on 06/03/2005 at 09:43

Page 1 of 1

**Economic Regulation Director** 

External Affairs Director

Staff Contact - Anne Marsh

Court Reporter

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To: X Commissioner Deason X Commissioner Bradley X Commissioner Davidson X Commissioner Edgar, X Executive Director X Public Information Officer X Consur

Deputy Executive Director/EXA General Counsel Director

on Auditing & Safety Director

X Comm. Clerk & ADM Services

Competitive Markets/Enforcement

Public Information Officer X Consumer Affairs Director

From: Office of Chairman Braulio Baez

Docket Number: 041144-TP

**Docket Title:** Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

### **1. Schedule Information**

05/10/2005			
05/18/2005	07/12/2005	Tallahassee, Room 148	9:30 AM - 5:00 PM
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### 2. Hearing/Prehearing Assignment Information

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Section 1 - Bureau of Records Completes

- Docket No. 041144-TP Date Docketed: 09/24/2004 Title:
- Company: KMC Data LLC KMC Telecom III LLC KMC Telecom V, Inc. Sprint-Florida, Incorporated

Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

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Section 1 - Bureau of Records Complete

- Company: KMC Data LLC KMC Telecom III LLC KMC Telecom V, Inc. Sprint-Florida, Incorporated
- Docket No. 041144-TP Date Docketed: 09/24/2004 Title: Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

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- Company: KMC Data LLC KMC Telecom III LLC KMC Telecom V, Inc. Sprint-Florida, Incorporated
- Docket No. 041144-TP Date Docketed: 09/24/2004 Title: Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

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				3.	Standar							NONE		05/08/	
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COMMISSIONERS: BRAULIO L. BAEZ, CHAIRMAN J. TERRY DEASON LILA A. JABER RUDOLPH "RUDY" BRADLEY CHARLES M. DAVIDSON STATE OF FLORIDA



Division of the Commission Clerk & Administrative Services Blanca S. Bayó Director (850) 413-6770 (Clerk) (850) 413-6330 (Admin)

# Jublic Service Commission

	A C K N O W L E D G M E N T	
	DATE: 9-24 A	
TO:	aisan Masterton	
FROM:	<u>Administrative Services</u> , Division of the Commission Clerk and	
RE:	Acknowledgment of Receipt of Confidential Filing	
0408-0	1	-
This	will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket	No.
041144	or (if filed in an undocketed matter) concerning	
Khi(	attachnents	and
filed on beh	alfor_Sprint/Masterton	Гһе

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

Commissioners: Braulio L. Baez, Chairman J. Terry Deason Lila A. Jaber Rudolph "Rudy" Bradley Charles M. Davidson

### STATE OF FLORIDA



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

# Hublic Service Commission

September 27, 2004

Susan S. Masterton, Attorney Sprint-Florida, Incorporated FLTLHO0103 1313 Blair Stone Road Tallahassee, Florida 32301

### Re: Docket No. 041144-TP

Dear Ms. Masterton:

This will acknowledge receipt of a complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated, which was filed in this office on September 24, 2004, and assigned the above-referenced docket number. Appropriate staff members will be advised.

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

Bureau of Records

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### STATE OF FLORIDA

Commissioners: BRAULIO L. BAEZ, Chairman J. Terry Deason LILA A. JABER Rudolph "Rudy" Bradley Charles M. Davidson



DIVISION OF THE COMMISSION CLERK & Administrative Services Blanca S. Bayó Director (850) 413-6770 (Clerk) (850) 413-6330 (Admin)

# Jublic Service Commission

	A C K N O W L E D G M E N T			
DATE: 10-14-04				
то:	Floyd R. Self E39.			
FROM:	Administrative Services			
RE:	Acknowledgment of Receipt of Confidential Filing			
11093-04 This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No. Ο 41144-ΤΡ or (if filed in an undocketed matter) concerning				
Motion to Dismiss Sprint's Complaint, and				
filed on behalf of <u>KMC</u> . The				

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

### **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)

Hublic Service Commission

ACKNOWLEDGMENT

DATE: 10/15/04 

TO:

FROM:

SELF/M

<u>M. SANDER</u>, Division of the Commission Clerk and Administrative Services

RE:

Acknowledgment of Receipt of Confidential Filing

11119-04

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

<u>641144-TP</u> or (if filed in an undocketed matter) concerning Kucs MOTION TO DISMISS SPRINT'S ComplainT , and filed on behalf of The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

## LAW OFFICES Messer, Caparello & Self A Professional Association

DISTRIBUTION CENTER 04 OCT 27 M 7:45

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

October 25, 2004

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

Re: Docket No. 041144-TP

Dear Ms. Bayo:

Please remove Andrew M. Klein, Esq., of the Kelley Drye Law Firm from the Parties of Record list and substitue Eric Soriano, Esq. of the Kelley Drye Law Firm. Edward Yorkgitis, Jr., Esq. should remain on the Parties of Record list.

Thank you for your assistance in this matter.

ŧrely, R. Self

FRS/amb cc: Parties of Record

RECEIVED-FPSC OCT 27 AN IO: 0

RECEIVED + PSC

### MEMORANDUM

October 26, 2004

64 NOV - 1 AM 11: 49

COMMISSION CLERK

### TO: COMMISSIONER J. TERRY DEASON

FROM: OFFICE OF THE GENERAL COUNSEL (ROJAS)

RE: DOCKET NO. 041114-TP - COMPLAINT OF XO FLORIDA, INC. AGAINST BELLSOUTH TELECOMMUNICATIONS, INC. FOR ALLEGED REFUSAL TO CONVERT CIRCUITS TO UNES; AND REQUEST FOR EXPEDITED PROCESSING.

Attached is an <u>ORDER DENYING XO FLORIDA, INC.'S REQUEST FOR</u> <u>EXPEDITED RELIEF</u>, which is ready for your review and signature. Please call Andrea Cowart at 413-6214 or Jason Rojas at 413-6179 when it has been signed.

JPR/anc Attachment I: 041114denyexpedited.jpr.doc

4 . **.** 



## **Marguerite Lockard**

PSC-04-1068-PCO-

From: Sent: To: Subject:

Date and Time: Docket Number: Filename / Path: Order Type: Andrea Cowart Monday, November 01, 2004 1:58 PM CCA - Orders / Notices; Jason Rojas Order / Notice Submitted

11/1/2004 1:54:00 PM 041114-TP 041114denyexpedited.jpr.doc Signed / Hand Deliver





ORDER DENYING XO FLORIDA, INC.'S REQUEST FOR EXPEDITED RELIEF

## **Nancy Pruitt**

		FPSC, CLK - CORRESPONDENCE
From:	Nancy Pruitt	Administrative Parties Consumer
Sent:	Wednesday, November 10, 2004 9:33 AM	DOCUMENT NO.07626-06
To:	Marguerite Lockard	DISTRIBUTION:
Cc:	Dovie Rockette-Gray	

Subject: RE: Docket 041144-TP - Confidential DNs 11093-04 & 11119-04

Marguerite, per Floyd Self's request of October 15, 2004, Document No. 11120-04, please return Confidential Document No. 11093-04 to its source. Thank you.

From: Marguerite Lockard
Sent: Wednesday, November 10, 2004 9:10 AM
To: Nancy Pruitt
Cc: Dovie Rockette-Gray
Subject: Docket 041144-TP - Confidential DNs 11093-04 & 11119-04

Hi Nancy.

Attached is a letter from Floyd Self dated 10/15/04. Per this letter, are you going to return confidential DN 11093-04 ???? If so, please send a memo to CCA stating so. If not, just reply to this e-mail.

thanks.

### 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)

# Jublic Service Commission

November 16, 2004

Floyd R. Self, Esquire Messer, Caparello and Self Post Office Box 1876 Tallahassee, Florida 32302-1876

#### Re: Return of Confidential Document to the Source, Docket No.041144-TP

Dear Mr. Self:

Commission staff have advised that Confidential Document No. 11093-04, filed on behalf of KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC can be returned to the source. The document and 15 copies originally filed are enclosed.

Please do not hesitate to contact me if you have any questions concerning this matter.

Sincerely,

Kay Flynn, Chief Bureau of Records

KF:mhl Enclosure

cc: Nancy Pruitt, Division of Competitive Markets and Enforcement Dovie Rockette-Gray, Office of the General Counsel

SIGNED FOR B

1/7/04 DATE

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850 An Affirmative Action/Equal Opportunity Employer

PSC Website: http://www.floridapsc.com

Internet E-mail: contact@psc.state.fl.us

# **CCA Official Filing** 11/17/2004 3:56 PM\*\*\*\*\*\*\*

\*\*\*\*\*\*

1147-Pca

9

\*\*Matilda Sanders\*\*\*1 RECEIVED-FPSC

### **Matilda Sanders**

From: Sent: To: Subject:

Date and Time: **Docket Number:** Filename / Path: Order Type:

11/17/2004 3:51:00 PM 041114-TP 041114OEP.jpr.doc

Order / Notice Submitted

Andrea Cowart

Signed / Hand Deliver

Order Establishing Procedure

affact's online

Wednesday, November 17, 2004 3:52 PM

CCA - Orders / Notices; Jason Rojas

Con NOV 18 AM 10: 46

CLERK

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## **CCA Official Filing** 12/3,2004 11:50 AM\*\*\*\*\*\*\*

\*\*\*\*\*\*

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

### **Matilda Sanders**

From:

Sent:

To:

LaSandra Givens Friday, December 03, 2004 11:48 AM CCA - Orders / Notices Subject: Order / Notice Submitted

12/3/2004 11:48:00 AM Date and Time: **Docket Number:** 041144-TP 041144OR.DRG.DOC Filename / Path:

ORDER DENYING MOTION

1204-FOF

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State of Florida



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

DATE: December 8, 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. 041144-TP, AGENDA HELD 11/30/04.
- RE: COMPLAINT AGAINST KMC TELECOM III LLC, KMC TELECOM V, INC., AND KMC DATA LLC FOR ALLEGED FAILURE TO PAY INTRASTATE ACCESS CHARGES PURSUANT TO ITS INTERCONNECTION AGREEMENT AND SPRINT'S TARIFFS AND FOR ALLEGED VIOLATION OF SECTION 364.16(3)(a), F.S., BY SPRINT-FLORIDA, INCORPORATED.

DOCUMENT NO: 12743-04, 12/11/04

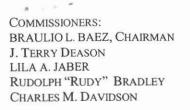
The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

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

LEGAL, CMP

Acknowledged BY:

JF/rlm





DIVISION OF THE COMMISSION CLERK & Administrative Services Blanca S. Bayó Director (850) 413-6770 (Clerk) (850) 413-6330 (Admin)

# Huhlic Serbice Commission

	A C K N O W L E D G M E N T	
	DATE: 12/13/04	
то:	Ribyn	
FROM:	DMenasco, Division of the Commission Clerk and Administrative Services	
RE:	Acknowledgment of Receipt of Confidential Filing	
13128 This	८-०५ s will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket N	No.
0411	9 - TP or (if filed in an undocketed matter) concerning	

PUP NO. 1 on CD only	, and
filed on behalf of Bell South	. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

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)

# Hublic Service Commission

A C K N O W L E D G M E N T

DATE: ]

TO:

(icki kaufman

FROM: \_\_\_\_\_\_\_, Division of the Commission Clerk and Administrative Services

RE: Acknowledgment of Receipt of Confidential Filing

## 13132-04

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

041114-TP	or (if filed in an undocketed matter) concerning	
Responses	to staff's POD's 1+3	, and
filed on behalf of _	XO Fla. Inc.	. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

PSC Website: http://www.floridapsc.com

J. TERRY DEAS LILA A. JABER	AEZ, CHAIRMAN SON Q DY" BRADLEY	STATE OF FLORID	A Division of the Commission Clerk & Administrative Services Blanca S. Bayó Director (850) 413-6770 (Clerk) (850) 413-6330 (Admin)
	Public	Serbice Con	nmizzion
	I	ACKNOWLEDGM	
		DATE: 12.16.(	
то:	James	Nlezg	
FROM:	Administrative	Services	n of the Commission Clerk and
RE:	Acknowledgmen	nt of Receipt of Confident	tial Filing
13	229-04		
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filed on bel	half ofBellS	auth/hleza	5,
document	will be maintained i	in locked storage.	

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

#### CCA Official Filing 12/20/2004 9:13 AM\*\*\*\*\*\*\*

\*\*\*\*\*\*\*

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

#### Matilda Sanders

From: Sent: To: Subject:

Date and Time: Docket Number: Filename / Path: Notice Type: LaSandra Givens Monday, December 20, 2004 9:13 AM CCA - Orders / Notices Order / Notice Submitted

103

12/20/2004 9:11:00 AM 041144-TP 041144id.drg.doc Memo for Issuance

Please issue the above referenced notice to all parties of record and interested persons.

40

#### Marguerite Lockard

From:	LaSandra Givens
Sent:	Monday, January 03, 2005 2:48 PM
То:	CCA - Orders / Notices
Subject:	Order / Notice Submitted

Date and Time: Docket Number: Filename / Path: Notice Type: 1/3/2005 2:47:00 PM 041144-TP 041144revised.drg.doc Memo for Issuance

Please issue the above referenced amended notice of revised issue id to all parties of record and interested persons

4/0



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

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DIVISION OF THE COMMISSION CLERK & Administrative Services Blanca S. Bayó Director (850) 413-6770 (Clerk) (850) 413-6330 (Admin)

# Public Service Commission

	A C K N O W L E D G M E N T
	DATE: 5.11.05
TO:	Andrekt D. Share
FROM:	Administrative Services, Division of the Commission Clerk and
RE:	Acknowledgment of Receipt of Confidential Filing
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Thi	s will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.
04111	4 - TP or (if filed in an undocketed matter) concerning <u>responses</u>
to Staf	FS 5th Rog & 5th POD, and
filed on be	half of BellBauth, Bhore

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

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



DIVISION OF THE COMMISSION CLERK & Administrative Services Blanca S. Bayó Director (850) 413-6770 (Clerk) (850) 413-6330 (Admin)

# Public Service Commission

	A C K N O W L E D G M E N T
	DATE: 5-12.05
TO:	Vicki Kaufman
FROM:	Administrative Services, Division of the Commission Clerk and
RE:	Acknowledgment of Receipt of Confidential Filing
•	- 9–05 will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.
04114	- TP or (if filed in an undocketed matter) concerning
Brd	RCC TEST. 8 Exh, Gary Case, and
filed on bel	alf of XQ Comm/Kaufman. The
document v	vill be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

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

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

## Public Service Commission

	A C K N O W L E D G M E N T
	DATE: 5.12.05
TO:	Vicki Kaufman
FROM:	Administrative Services, Division of the Commission Clerk and
RE:	Acknowledgment of Receipt of Confidential Filing
046	46-05
Th	is will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.
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4th	RCC testinory & ach. S. Padgett, and
filed on b	ehalf of X.O Conn/Kaufman The
document	t will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

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PSC Website: http://www.floridapsc.com

State of Florida



Jublic Serbice Commission -M-E-M-O-R-A-N-D-U-M-

**DATE:** May 24, 2005

- **TO:** Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services
- **FROM:** Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services
- **RE:** DOCKET NO. 041144-TP, AGENDA HELD 05/17/05.
- RE: COMPLAINT AGAINST KMC TELECOM III LLC, KMC TELECOM V, INC., AND KMC DATA LLC FOR ALLEGED FAILURE TO PAY INTRASTATE ACCESS CHARGES PURSUANT TO ITS INTERCONNECTION AGREEMENT AND SPRINT'S TARIFFS AND FOR ALLEGED VIOLATION OF SECTION 364.16(3)(a), F.S., BY SPRINT-FLORIDA, INCORPORATED.

DOCUMENT NO: 05003-05, 05/23/05

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:

JF/rlm

State of Florida



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

**DATE:** June 23, 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. 041144-TP, PREHEARING HELD 06/20/05.
- RE: COMPLAINT AGAINST KMC TELECOM III LLC, KMC TELECOM V, INC., AND KMC DATA LLC FOR ALLEGED FAILURE TO PAY INTRASTATE ACCESS CHARGES PURSUANT TO ITS INTERCONNECTION AGREEMENT AND SPRINT'S TARIFFS AND FOR ALLEGED VIOLATION OF SECTION 364.16(3)(a), F.S., BY SPRINT-FLORIDA, INCORPORATED.

DOCUMENT NO: 05927-05, 06/22/05

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:

JF/rlm

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

)

)

**IN RE:** <u>Docket No. 041144-TP</u> Complaint against KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for alleged failure to pay intrastate access charges pursuant to its interconnection agreement and Sprint's tariffs and for alleged violation of Section 364.16(3)(a), F.S., by Sprint-Florida, Incorporated.

SUBPOENA DUCES TECUM FOR DEPOSITION

#### THE STATE OF FLORIDA

TO <u>Mr. Sam Miller c/o Mary Mastrobattista, Esq., Agilent Technologies, Inc., 395 Page Mill Road,</u> Palo Alto, California 94306.

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices of KMC Telecom, 1755 North Brown Road, Lawrenceville, Georgia 30034-8119, on June 29, 2005, at 1:00 p.m., to testify in this action, and to have with you at that time and place the following: All documents set forth in Exhibit 1, as defined in Attachment 1.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

**DATED** on June 23, 2005.

Blanca S. Bayó, Director Division of the Commission Clerk and Administrative Services Florida Public Service Commission

By: Kay Jum Kay Flynn, Chief, Bureau of Records

Floyd Self, Esq. Messer, Caparello & Self, P.A. 215 South Monroe Street, Suite 701 Tallahassee, Florida 32302 Attorney for KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC

(SEAL)

#### EXHIBIT 1

All documents prepared for, utilized by, or relied upon by Agilent relating to studies, testimony, and discovery responses prepared for Sprint-Florida Incorporated in Florida Public Service Commission Docket 041144-TP. The term "document" shall be as defined in Attachment 1.

Attachment 1

The terms "document" and "documentation" shall have the same meaning and scope as contained in the Florida Rules of Civil Procedure, and shall include, without limitation, all written, reported, recorded, magnetic, graphic, photographic matter, however produced or reproduced, which is now, or was at any time, in the possession, custody, or control of your company and its affiliates including, but not limited to, all reports, memoranda, notes (including reports, memoranda, notes of telephone, email or oral conversations and conferences), financial reports, data records, letters, envelopes, telegrams, messages, electronic mail (e-mail), studies, analyses, books, articles, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, accounts, pamphlets, pictures, films, maps, work papers, arithmetical computations, minutes of all communications of any type (including inter- and intra-office communications), purchase orders, invoices, statements of account, questionnaires, surveys, graphs, recordings, video or audio tapes, punch cards, magnetic tapes, discs, data cells, drums, printouts, records of any sort of meeting, invoices, diaries, and other data compilations from which information can be obtained, including drafts of the foregoing items and copies or reproductions of the foregoing upon which notations and writings have been made which do not appear on the originals.

041144-TP

LAW OFFICES MESSER, CAPARELLO & SELF, P.A. A PROFESSIONAL ASSOCIATION 215 SOUTH MONROE STREET, SUITE 701 P.O. BOX 1876 TALLAHASSEE, FLORIDA 32302-1876 TELEPHONE: (850) 222-0720 TELECOPIERS: (850)224-4359; (850)425-1942

	TALLAHASSEE, F	DX 1876 LORIDA 32302 (850) 222-0720	-1876	INN00	03 JUN 22	RECEIVED
	TELECOPY M	EMORA	NDUM	RK	PM 3: 21	D-FPSC
TO:	Division of Records and Repo	rting FAX	X PHONE NO.:	413-7	118	
FROM:	Floyd Self	DATE:	June 22, 200	15		

SUBJECT/ MESSAGE:

On behalf of KMC Telecom III LLC, KMC Telecom V, Inc. and KMC Data LLC ("KMC"), I hereby request that the Commission issue a Subpoena for Deposition Duces Tecum for non-parties pursuant to Rule 25-22.045, Florida Administrative Code and Rule 1.310 Florida Rules of Civil Procedure. KMC requests that the Commission issue the following:

A Subpoena for Deposition Duces Tecum on: Mr. Sam Miller, c/o Mary 1. Mastrobattista, Esq., Agilent Technologies, Inc. 395 Page Mill Road, Palo Alto, California 94306. The deposition will be held on June 29, 2005 at 1:00 p.m. at the office of KMC Telecom, 1755 North Brown Road Lawrenceville, Georgia 30034-8119. Pursuant to Rule 1.310(b)(1), Florida Rules of Civil Procedure, KMC has also attached to this request, as part of Exhibit "1," a designation of the materials to be produced by Mr. Sam Miller.

Exhibit 1 and Attachment 1 are included with this fax.

Please let me know how much it will cost and when it will be ready. Thank you. Contact Person: Ann Bassett Number of Pages (including this cover page): 4

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

Problems with this transmission occur, please call: 850/222-0720

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#### EXHIBIT 1

All documents prepared for, utilized by, or relied upon by Agilent relating to studies, testimony, and discovery responses prepared for Sprint-Florida Incorporated in Florida Public Service Commission Docket 041144-TP. The term "document" shall be as defined in Attachment 1.

#### Attachment 1

The terms "document" and "documentation" shall have the same meaning and scope as contained in the Florida Rules of Civil Procedure, and shall include, without limitation, all written, reported, recorded, magnetic, graphic, photographic matter, however produced or reproduced, which is now, or was at any time, in the possession, custody, or control of your company and its affiliates including, but not limited to, all reports, memoranda, notes (including reports, memoranda, notes of telephone, email or oral conversations and conferences), financial reports, data records, letters, envelopes, telegrams, messages, electronic mail (e-mail), studics, analyses, books, articles, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, accounts, pamphlets, pictures, films, maps, work papers, arithmetical computations, minutes of all communications of any type (including inter- and intra-office communications), purchase orders, invoices, statements of account, questionnaires, surveys, graphs, recordings, video or audio tapes, punch cards, magnetic tapes, discs, data cells, drums, printouts, records of any sort of meeting, invoices, diaries, and other data compilations from which information can be obtained, including drafts of the foregoing items and copies or reproductions of the foregoing upon which notations and writings have been made which do not appear on the originals.

### **\*\*CCA OFFICIAL DOLJMENT...\*\***

#### **Kimberley Pena**

Attachments:

subpoena exhibits.doc



subpoena

hibits.doc (22 K Attached is Exhibit 1 and Attachment 1 as you requested for the Subpoena.

#### The Docket No. is 041144-TP - Sprint Complaint Against KMC

#### Floyd Self said they he would like Mr. Miller to bring copies we can have.

#### Please let me know if you need anything else.

Thank you.

**Ann Bassett** Messer, Caparello & Self, P.A. Phone: 850-201-5225 abassett@lawfla.com

#### EXHIBIT 1

All documents prepared for, utilized by, or relied upon by Agilent relating to studies, testimony, and discovery responses prepared for Sprint-Florida Incorporated in Florida Public Service Commission Docket 041144-TP. The term "document" shall be as defined in Attachment 1.

#### Attachment 1

The terms "document" and "documentation" shall have the same meaning and scope as contained in the Florida Rules of Civil Procedure, and shall include, without limitation, all written, reported, recorded, magnetic, graphic, photographic matter, however produced or reproduced, which is now, or was at any time, in the possession, custody, or control of your company and its affiliates including, but not limited to, all reports, memoranda, notes (including reports, memoranda, notes of telephone, email or oral conversations and conferences), financial reports, data records, letters, envelopes, telegrams, messages, electronic mail (e-mail), studies, analyses, books, articles, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, accounts, pamphlets, pictures, films, maps, work papers, arithmetical computations, minutes of all communications of any type (including inter- and intra-office communications), purchase orders, invoices, statements of account, questionnaires, surveys, graphs, recordings, video or audio tapes, punch cards, magnetic tapes, discs, data cells, drums, printouts, records of any sort of meeting, invoices, diaries, and other data compilations from which information can be obtained, including drafts of the foregoing items and copies or reproductions of the foregoing upon which notations and writings have been made which do not appear on the originals.

State of F	Jublic Service           Capital Circle Office Center • 2           Tallahassee, Flore	2540 SHUMARD OAK BOULEVARD RIDA 32399-0850 UMMISSION AFNSD, ULIN ECRRESPONDENCE Administrative Parties Consumer
DATE:	July 6, 2005	DOCUMENT NO. 07626-06 DISTRIBUTION:
TO:	Beth W. Salak, Director, Division of Competitive Mark	
FROM:	Laura V. King, Public Utilities Supervisor, Division of Enforcement	Competitive Markets & 2
RE:	Request to Copy Confidential Information - Docket No	. 041144-TP

This is a request to have the print shop make one copy of the confidential documents identified in Table 1. These documents will be discussed at the hearing and will be entered into the record as confidential exhibits. In addition, I would like permission to make 4 copies of the documents listed in Table 2. These documents contain confidential testimony and exhibits to testimony that we believe the Commissioners should have readily available as the witnesses take the stand. If there are any questions, please let me know.

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cc: M. Lockard

D. Fordham



July 7, 2005

Floyd R. Self, Esquire Messer, Caparello & Self 215 South Monroe Street, Suite 701 Tallahassee, Florida 32301

HECEIVED FPSC IUL -8 AM

Re: Sprint Florida/KMC Docket No 041144-TP

Dear Mr. Self:

Enclosed is your copy of the deposition of Paul Calabro taken in the above matter on June 30, 2005.

Since reading and signing was not waived, we are enclosing an errata sheet and request that your office make arrangements with the witness to read the deposition and make any corrections on the errata sheet.

Please forward the original completed errata sheet to Susan Masterton for attachment to the original transcript. You should also attach a copy to your transcript so that it will be complete.

Thank you for your cooperation in this matter. It was a pleasure working with you.

Sincerely,

Manga beer

Mary A. Neel

/mn cc: Susan Masterton, Esq.

TELECONFERENCING • REAL TIME REPORTING • SPACIOUS CONFERENCE ROOMS

# UNIGINAL

LAW OFFICES Messer, Caparello & Self A Professional Association

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

> > July 11, 2005

BY HAND DELIVERY

Ms. Blanca Bayó, Director Commission Clerk and Administrative Services Room 110, Easley Building Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re: Docket No. 041144-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC ("KMC") is a copy of the Deposition Transcript of Paul J. Calabro and a copy of the Deposition Transcript of Ronald E. Twine in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

CMP	
COM Thank you for your assistance with this filing.	
CTR Sincerely yours,	
ECR CCA note:	DATE DATE CLERK
CTR Sincerely yours, ECR CCA note: GCL Transcripts formuled OPC to GCL Floyd R. Self MMS Floyd R. Self	
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DOWNTOWN OFFICE, 215 South Monroe Street, Suite 701 · Tallahassee, Fl 32301 · Phone (850) 222-0720 · FAP(850) 222-0720 · SOUTH STORE STORE

RECEIVED-1PSC ULII PH 3:

State of Florida



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

**DATE:** July 19, 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. 041144-TP, HEARING HELD 07/12/05.
- RE: COMPLAINT AGAINST KMC TELECOM III LLC, KMC TELECOM V, INC., AND KMC DATA LLC FOR ALLEGED FAILURE TO PAY INTRASTATE ACCESS CHARGES PURSUANT TO ITS INTERCONNECTION AGREEMENT AND SPRINT'S TARIFFS AND FOR ALLEGED VIOLATION OF SECTION 364.16(3)(a), F.S., BY SPRINT-FLORIDA, INCORPORATED.

DOCUMENT NOS: 06844-05, 07/18/05 - VOLUME 1 06845-05, 07/18/05 - VOLUME 2

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:

JF/rlm

Blank

Page 1 of 1

Marguerite Lockard

From:Marguerite LockardSent:Tuesday, July 26, 2005 12:56 PMTo:Nancy PruittSubject:RE: Docket No. 041144

ok, thanks.

From: Nancy Pruitt Sent: Tuesday, July 26, 2005 12:43 PM To: Marguerite Lockard Cc: Nekey Garcia; Ruth McGill; Beth Keating Subject: RE: Docket No. 041144 FPSC, CLK - CORRESPONDENCE <u>Administrative</u> <u>Parties</u> Consume DOCUMENT NO.07626-06 DISTRIBUTION: \_\_\_\_\_

#### Hi Marguerite,

On July 22, 2005, KMC filed Document No. 07051-05 in which the company withdrew the condidential claim for the exhibits filed on 2/28/05. MBJ-1 is Hearing Exhibit 55, MBJ-2 is Hearing Exhibit 56, and MBJ-5 is Hearing Exhibit 59. Please remove from confidential and place in the public docket file. The 3 exhibits are already in PDF in Document No. 07051-05. Thank you.

From: Marguerite Lockard Sent: Tuesday, July 26, 2005 11:27 AM To: Nancy Pruitt Cc: Nekey Garcia; Ruth McGill Subject: Docket No. 041144

Hi Nancy,

Ruth McGill showed me an email from you to Nekey Garcia saying that Hearing Exhibit Nos. 55, 56, and 59 are not confidential any more.

I will need something in writing to the clerk's office to request the documents be declassified and placed in the public docket file.

thanks, Marguerite

# Marguerite Lockard

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Subject: RE: Hearing exhibits (DN O4554-05) - O4H44-TP

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Okay, back to the same order!

Thanks!

And if we wait until Wednesday morning we can safely declassify it because the 21 days will have passed, and we'll have the order as well as Floyd's e-mail for backup.

From: Beth Keating Sent: Monday, August 01, 2005 2:04 PM To: Kay Flynn Subject: RE: Hearing exhibits

Yep, PSC-05-0652-CFO-TP

In the present matter, however, the information at issue does not qualify as "proprietary confidential business information" as defined by Section 364.183(3), Florida Statutes, because it is already in the public domain through the FCC filings. Because the information has already been disclosed in the public domain, it does not qualify for protection, nor is it capable of being protected, by an Order granting confidentiality. This Commission does not have the power to "unring a bell."

From: Kay Flynn Sent: Monday, August 01, 2005 1:58 PM To: Beth Keating Cc: Lee Fordham Subject: RE: Hearing exhibits

Thanks again...

Was the decision to find FCC documents public a decision that the PSC made?

From: Beth Keating Sent: Monday, August 01, 2005 1:55 PM To: Kay Flynn Cc: Lee Fordham Subject: FW: Hearing exhibits

Kay, additional follow-up. See e-mail in chain below from Floyd referencing MJB-8.

From: Beth Keating Sent: Monday, July 11, 2005 5:08 PM

#### To: Laura King Subject: RE: Hearing exhibits

#### Thanks!

From: Laura King Sent: Monday, July 11, 2005 5:08 PM To: 'Floyd Self'; Susan Masterton Cc: Beth Keating Subject: RE: Hearing exhibits

MBJ-7 and TEP-1 & 2 have been removed from the exhibit list.

MBJ-8 is now shown as a public exhibit.

I will continue to update the list as necessary and will be sure you both have updated copies at the hearing.

From: Floyd Self [mailto:fself@lawfla.com] Sent: Monday, July 11, 2005 4:55 PM To: Susan Masterton: Beth Keating Cc: Laura King Subject: Hearing exhibits

A couple more corrections to the exhibit list:

Marva's Exhibit MBJ-7 will be withdrawn. This goes to the counterclaim that I agree should be dropped

Marva's Exhibit MBJ-8 would not be confidential in view of the decision to find the FCC documents public

Twine's TEP-1 and TEP-2 can be withdrawn given the withdrawal of the counterclaim testimony.

Thanks.

Beth,

\*

Floyd R. Self, Esq. Messer, Caparello & Self, P.A. Direct Phone: 850-425-5213 Email Address: <<u>fself@lawfla.com</u>> Web Address: <<u>www.lawfla.com</u>>

\*

>>> "Beth Keating" <BKeating@PSC.STATE.FL.US> 7/11/2005 4:11:36 PM >>> Here is the latest revised list. Let me know if you see anything awry. Thanks!

From: Laura King Sent: Monday, July 11, 2005 4:11 PM To: Beth Keating

#### MEMORANDUM

#### AUGUST 1, 2005

# TO:COMMISSIONER RUDLOPH "RUDY" BRADLEYFROM:OFFICE OF THE GENERAL COUNSEL (B. KEATING)

RE: DOCKET NO. 041144-TP - COMPLAINT AGAINST KMC TELECOM III LLC, KMC TELECOM V, INC., AND KMC DATA LLC FOR ALLEGED FAILURE TO PAY INTRASTATE ACCESS CHARGES PURSUANT TO ITS INTERCONNECTION AGREEMENT AND SPRINT'S TARIFFS AND FOR ALLEGED VIOLATION OF SECTION 364.16(3)(A), F.S., BY SPRINT-FLORIDA, INCORPORATED.

Attached is an ORDER GRANTING, IN PART, AND DENYING, IN PART, REQUEST FOR CONFIDENTIAL CLASSIFICATION OF DOCUMENT NO. 07053-05 (CROSS-REFERENCED DOCUMENT NO. 02023-05) which is ready for your review and signature. Please call Jackie Schindler or Beth Keating when it has been signed.

TO CCASISLate pm.

BK/js Attachment I:\2004\041144-BK\secondkmcconf.mem.doc

#### Marguerite Lockard

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PSC-05-0810-CF0

From: Sent: To: Subject:

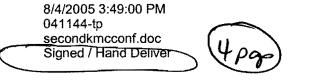
js

Jackie Schindler Thursday, August 04, 2005 3:51 PM CCA - Orders / Notices; Beth Keating Order / Notice Submitted

AUG -5 AM IO: 53

COMMISSION CLERK

Date and Time: Docket Number: Filename / Path: Order Type:



An ORDER GRANTING IN PART AND DENYING IN PART REQUEST FOR CONF. CLASS. FOR DN 07053-05 has been SIGNED and moved to GC Orders for issuance on Friday. The signed order will come to you on the first run on Friday.

1

#### Marguerite Lockard

From: Nancy Pruitt

- Sent: Friday, August 06, 2005 3:33 PM
- To: Beth Keating, Laura King, Marguerite Lockard
- Subject: FW:041144-TP, Doc. No. 07323-05

FYI

From: Nancy Pruitt Sent: Friday, August 05, 2005 3:29 PM To: Nekey Garcia Subject: 041144-TP, Doc. No. 07323-05

Document No. 07323-05 withdraws the confidential claims for various filings by KMC.

Per Document No. 07323-05 please copy KMC's responses to Sprint's Interrogatories, Nos. 10 and 14 from the confidential filing of March 28, 2005, 02997-05, and place in the non-confidential discovery book. In the same filing, 02997-05, please copy bates numbers 303 through 322 of KMC's response to Sprint's Interrogatory 15 and put in non-confidential discovery book. The rest of 15 is still confidential.

Per Document No. 07323-05 please copy KMC's response to Sprint's Interrogatory 40 from the confidential filing of March 30, 2005, 03112-05, and place in the non-confidential discovery book.

Per Document No. 07323-05 please copy KMC's response to Staff's POD 5 from the condidential filing of May 9, 2005, 04511-05, and place in the non-confidential discovery book. Document No. 07323-05 has the incorrect date of May 4 for this response to staff's POD 5.

Thank you

Marguerite Lockard	
From:Nancy PruittSent:Wednesday, August 10, 2005 4:00 PMTo:Nekey GarciaCc:Marguerite Lockard; Laura KingSubject:041144-TP Remove from confidential	OUIIUUU-TP FPSC, CLK - CORRESPONDENCE Administrative_Parties_Consumer DOCUMENT NO.07626-06 DISTRIBUTION:

Nekey, Document No. 04444-05 was Sprint's confidential responses to Staff's Interrogatory 8 and attachments to Staff's Interrogatories 6 & 9.

According to Sprint's 8/1/05 filing of 07411-05, the attachments to staff's #6 are no longer confidential. Please remove #6 from the confidential filings and place in our discovery book.

Thank you.

8/11/2005

State of Florida



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

DATE: September 9, 2005

- **TO:** Blanca Bayó, Director, Commission Clerk and Administrative Services
- FROM: Jane Faurot, Chief, Office of Hearing Reporter Services
- **RE:** DOCKET NO. 041144-TP, HEARING HELD 07/12/05.

Attached for filing are Exhibits 1 through 63 representing a complete filing of the exhibits identified and admitted into the record during the proceedings held in the above docket.

Acknowledged BY:

JF/rlm

State of Florida



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

**DATE:** October 26, 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. 041144-TP, AGENDA HELD 10/18/05.
- RE: COMPLAINT AGAINST KMC TELECOM III LLC, KMC TELECOM V, INC., AND KMC DATA LLC FOR ALLEGED FAILURE TO PAY INTRASTATE ACCESS CHARGES PURSUANT TO ITS INTERCONNECTION AGREEMENT AND SPRINT'S TARIFFS AND FOR ALLEGED VIOLATION OF SECTION 364.16(3)(a), F.S., BY SPRINT-FLORIDA, INCORPORATED.

DOCUMENT NO: 10358-05, 10/25/05

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:

JF/rlm

ርርA Official Filing ***1/17/2006 10:43 AM***	****		**1
Matilda Sanders		06-0041-PCD	
From: Sent: To: Subject:	Jackie Schindler Tuesday, January 17, 2006 10:42 AM CCA - Orders / Notices; Lee Fordham Order / Notice Submitted	5.7 5.7	
Date and Time: Docket Number: Filename / Path: Order Type:	1/17/2006 10:41:00 AM 041144-tp extendrecon.doc Signed / Hand Deliver	AM IO: 43 SSION	ĕ

and the

An order granting sprint's motion for extension of time to file response has been moved to gc orders for issuance today. js

510

r

#### **Marguerite Lockard**

PSC-06-0417-AS-TP

From: Sent: To: Subject:

Date and Time: **Docket Number:** 

Filename / Path:

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**Jackie Schindler** Thursday, May 18, 2006 10:16 AM CCA - Orders / Notices; Lee Fordham Order / Notice Submitted

5/18/2006 10:15:00 AM 041144-tp acknowledge settlement.doc



An Order Acknowledging Settlement has been moved to GC Orders for issuance today.

Thanks.

js

411 acertified.

Commissioners: Lisa Polak Edgar, Chairman J. Terry Deason Isilio Arriaga Matthew M. Carter II Katrina J. Tew

#### STATE OF FLORIDA



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

# Hublic Service Commission

June 19, 2006

Susan S. Masterton, Esquire Sprint – Law/External Affairs FLTLH00107 Post Office Box 2214 Tallahassee, Florida 32316-2214

#### Re: Return of Confidential Documents to the Source, Docket No. 041144-TP

Dear Ms. Masterton:

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

10408-04	01781-05	02033-05	02678-05	02819-05	03018-05
03445-05	03664-05	03992-05	04444-05	04562-05	04826-05
05193-05	05793-05	05998-05	06424-05	06483-05	06484-05
06484-05	06557-05	06559-05	06560-05	06561-05	06564-05
06565-05	06566-05	06567-05	06568-05	06580-05	06780-05
07407-05	07476-05				

The documents are enclosed.

Internet E-mail: contact@psc.state.fl.us

Page 2 June 19, 2006

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

Sincerely,

Kay Flynn Chief of Records

KF:mhl Enclosure

cc: Nancy Pruitt, Division of Competitive Markets and Enforcement Patrick Wiggins, Office of the General Counsel

RECEIVED God Donoran DATE 6/19/06

Commissioners: Lisa Polak Edgar, Chairman J. Terry Deason Isilio Arriaga Matthew M. Carter II Katrina J. Tew

#### STATE OF FLORIDA



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# Hublic Service Commission

June 19, 2006

Floyd R. Self, Esquire Messer, Caparello & Self Post Office Box 1876 Tallahassee, Florida 32302-1876

#### Re: Return of Confidential Documents to the Source, Docket No. 041144-TP

Dear Mr. Self:

Commission staff have advised that Confidential Documents listed below, filed on behalf of KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC, can be returned to the source.

11119-04	02023-05	02026-05	02029-05	02862-05	02991-05
02993-05	02995-05	02997-05	03237-05	03296-05	03359-05
04379-05	04460-05	04929-05	06418-05	06511-05	06542-05
06558-05	06562-05	06563-05	06569-05	07053-05	

The documents are enclosed.

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

Sincerely,

lvnn Chief of Records

KF:mhl Enclosure

cc: Nancy Pruitt, Division of Competitive Markets and Enforcement Patrick Wiggins, Office of the General Counsel

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