Law Office of Kristopher E. Twomey, P.C.   Kristopher E. Twomey
LoKT Consulting   Telecom/Internet Law & Regulatory Consulting

December 15, 2006

Via Fax and Fedex
Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Fax: 251 244-0831

Re: Protest re: Docket No. 060621-TX, In re: Compliance of Baldwin County
       Internet/DSSI Service, L.L.C. for apparent violation of Section 364.183(1), F.S.,
       Access to Company Records

Dear Sir or Madam:

I am counsel to Baldwin County Internet/DSSI Service, L.L.C. ("DSSI") and have been
retained to assist with regulatory matters for DSSI. I am filing this letter to formally
protest Order No. PSC-06-0955-PA-TX in Docket 060621-TX.

DSSI understands the necessity of complying with all Florida Public Service Commission
("Commission") regulations and requirements. DSSI supports the Commission's efforts
to measure local telecommunications competition in Florida. DSSI regrets that it failed to
file the 2006 Competitive Local Exchange Carrier Questionnaire ("CLEC
questionnaire").

DSSI staff have investigated the reasons for its failure to submit the CLEC questionnaire.
Apparently, the CLEC questionnaire and Commission reminder letters were addressed to
an employee who no longer worked at DSSI. Unfortunately, the documents were not
forwarded to the appropriate employee to follow-up. DSSI will update its contact
information at the Commission to ensure that this does not happen again. DSSI did not
intentionally seek to hide information or deceive the Commission. This was a simple
mistake.

DSSI's operations in Florida are extremely limited. Virtually all of DSSI's business is in
Alabama. As can be seen by DSSI's CLEC questionnaire (attached), DSSI provided 5
ISDN-PRI lines to Florida customers in 2006. That is the sum total of business provided
by DSSI in Florida. As such, the accuracy of the Commission's annual
telecommunications report was not materially harmed. Moreover, given the very small
amount of business and revenue DSSI received from Florida customers, assessment of a
$10,000 would be excessive. DSSI does accept its responsibility for its omission and
would accept a fine of $1000 for its omission.

CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
RCA _____
SCR _____
SGA _____
SEC 1
OTH _____
Lockard

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DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

If this suggestion is not acceptable to the Commission, DSSI would be wiling to negotiate further and would request a hearing per §120.57 of Florida Statutes. Should there be any questions or additional information required, please do not hesitate to contact me at (202) 250-3413. Thank you.

Sincerely,

Kristopher E. Twomey
Counsel to DSSI

cc: Renee Curtis, DSSI
Kiwanis Curry, FPSC

Enclosures

2006 Competitive Local Exchange Carrier (CLEC) Questionnaire
(Due by July 14, 2006)

Legal Company Name: _Baldwin County Internet/DSSl Service LLC_

D/B/A:_____

FPSC Company Code (e.g., TX000) _TX 725_

Contact name & title: _Renee Curtis President_

Telephone number: _251-224-0847_

E-mail address: _renec @ dsitech.com_

Stock Symbol (if company is publicly traded):_____

Services Offered in Florida

1. Do you offer local telephone service in Florida? Please check yes or no.

    __✓__ Yes

    _____ No

2. How is your local service provisioned? Please mark the appropriate response(s).

    _____ Resale agreement with ILEC

    _____ Agreement with ILEC for wholesale platform (formerly known as UNE-P).

    _____ Purchase some UNEs (other than wholesale platform) from ILEC

    _____ Purchase elements (e.g., loops, switching) from other than ILEC (e.g., other CLECs)

    __✓__ Completely self-provisioned

    _____ Other (please describe) _____

3. In what ILEC exchanges are you providing residential and/or business local service? Attached is the Exchange Check List (also available in electronic form) for your response.

4. **If you provision local service ONLY through ILEC resale or the ILEC's wholesale platform (formerly known as UNE-P), you DO NOT need to complete the data tables. Please indicate below whether or not you have completed any data tables.**

    __✓__ Yes, my company HAS completed one or more data tables.

    _____ No, my company IS NOT required to complete any data tables.

5. What services, other than local service, does your company offer in Florida? Check all that apply.

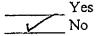 | | |
    |---|---|
    | __✓__ Private line/special access | __✓__ Wholesale loops |
    | ____ VoIP | ____ Paging service |
    | __✓__ Wholesale transport | ____ Cable television |
    | ____ Interexchange service | ____ Satellite television |
    | ____ Cellular/wireless service | __✓__ Broadband Internet access |

1

c.   What is the range of prices for business VoIP service?

_____

d.   Check all that apply to your VoIP service:
> _____ Offer wireless VoIP service
> _____ Offer wireline VoIP service
> _____ Optional power backup
> _____ Standard power backup
> _____ Contribute to Universal Service Fund
> _____ Peer-to-Peer only (no interconnection with PSTN).
> _____ Use of public Internet
> _____ Use of private IP network

e.   If you are not offering VoIP service to end-user customers in Florida, do you anticipate doing so? If yes, identify rollout month/year.

_____

Broadband

12.   Do you offer broadband to residential customers in Florida? Please place a mark by the applicable answer.
> _____ Yes
> ___✓___ No

13.   If you do offer broadband to residential customers in Florida, please provide the percentage of customers to whom broadband is available.

_____

14.   How many residential broadband subscribers do you have in Florida?
0

FCC's Triennial Review Remand Order (TRRO)

15.   As of March 11, 2005, please provide the total number of UNE-P access lines for your company that were affected by the above order. ____*0*____

16.   As of March 11, 2006, please provide the number of UNE-P access lines that were transitioned in each of the categories below:
a.   Migrated to a different platform (i.e., UNE-L or resale)   ____*0*____
b.   Renegotiated as part of a commercial agreement   ____*0*____
c.   No longer providing service   ____*0*____
d.   Not transitioned as of March 11, 2006, due to quantity, etc., but will be or has been transitioned to a different platform as subject to agreement with ILEC.

_____

e.   Other (please explain below)

_____

3

Mergers

17.   The following questions concern the mergers that have taken place recently (e.g., Sprint-Nextel, SBC and AT&T, and Verizon and MCI, as well as the recently announced AT&T purchase of BellSouth).

   a. Has your overall local competition strategy changed as a result of the completed mergers? If so, please explain how. *No*

   b. Have these mergers affected your local competition strategy in Florida? If so, please explain how. *No*

   c. How do you expect AT&T's purchase of BellSouth to affect your local competition strategy in Florida? *Unknown*

Miscellaneous

18.   In 2005, how much money did you invest in your network directly serving Florida's local service customers? Place a check mark by the applicable answer.

  ✓ $1 - $249,999

  ___ $250,000 - $999,999

  ___ $1,000,000 - $9,999,999

  ___ $10,000,000 or more

19.   Are you currently operating under Chapter 7 or Chapter 11 protection? Please indicate yes or no.

  ___ Yes

  ✓ No

20.   Please provide a copy of the Form 477 you filed with the FCC with data as of December 31, 2005.

Comments

21.   Have you experienced any significant barriers in entering Florida's local exchange markets? Please list and describe any major obstacles or barriers encountered that you believe may be impeding the growth of local competition in the state, along with any suggestions as to how to remove such obstacles. Any additional general comments or information you believe will assist staff in evaluating and reporting on the development of local exchange competition in Florida are welcome.

No

Company Name: *Baldwin County Internet/OSS Service LLC*

Company Code*: TX 725

*Your CLEC Company code is shown on the label affixed to the envelope in which this was mailed and on the cover letter.

Please check the boxes in the chart below indicating in which ILEC exchange you provide business or residential local service.

Exchange	Res	Bus	Exchange	Res	Bus	Exchange	Res	Bus	Exchange	Res	Bus	Exchange	Res	Bus
Alachua			Dade City			Hudson			Munson			Seagrv Bch		
Alford			Daytonabch			Immokalee			Myakka			Sebastian		
Alligtorpt			Debary			Indianlake			Naples			Sebring		
Altha			Deerfldbch			Indiantown			Ncapecoral			Shalimar		
Apalchicol			Deland			Interlachn			Newberry			Sirspgshrs		
Apopka			Deleon Spg			Inverness			No Naples			Sncpvisnds		
Arcadia			Delray Bch			Jacksolbch			Noft Myers			Sneads		
Archer			Destin			Jacksonvl			North Dade			Sopchoppy		
Astor			Dfuniakspg			Jasper			North Port			Springlake		
Avon Park			Dowling Pk			Jay			Nwptrichey			St Cloud		
Baker			Dunnellon			Jennings			Nwsmyrnbch			St Johns		
Baldwin			East Point			Jensen Bch			Oak Hill			St Marks		
Bartow			Eastorange			Julington			Ocala			Starke		
Belleglade			Eau Gallie			Jupiter			Ocklawaha			Staugustin		
Belleview			Englewood			Keaton Bch			Okeechobee			Stpetersbg		
Beverlyhls			Eustis			Kenansvl			Old Town			Stuart		
Blountstn			Everglades			Keys			Orange Spg			Sunnyhills		
Boca Raton			Femadnbch			Keystn Hts			Orangecity			Tallahasse		
Bocagrande			Flaglerbch			Kingsleylk			Orangepark			Tampa		
Bonifay			Florahome			Kissimmee			Orlando			Tarpon Spg		
Bonita Spg			Fishsbyrnh			La Belle			Oviedo			Tavares		
Bowinggren			Forest			Lady Lake			Pace			Thebeaches		
Boyntonbch			Fort Meade			Lake City			Pahokee			Titusville		
Bradenton			Fort Myers			Lake Wales			Palatka			Trenton		
Branford			Fort White			Lakebutler			Palm Coast			Trilacoche		
Bristol			Fortpierce			Lakeland			Palmetto			Tyndallafb		
Bronson			Freeport			Lakeplacid			Panacea			Umatilla		
Brooker			Frostproof			Laurel Hill			Panamacity			Valparaiso		
Brooksvl			Ftlauderdl			Lawtey			Paxton			Venice		
Bunnell			Ftmyersbch			Lee			Pensacola		X	Vernon		
Bushnell			Ftwaltnbch			Leesburg			Perrine			Vero Beach		
Callahan			Gainesvl			Lehighacrs			Perry			Waldo		
Cantonment			Geneva			Live Oak			Pierson			Walnuthill		
Cape Coral			Glendale			Lkbunavist			Pineisland			Wauchula		
Cape Haze			Graceville			Luraville			Plant City			Weekichspg		
Carrabelle			Grandridge			Lynn Haven			Pnamacybch			Weirsdale		
Cedar Keys			Greencvspg			Macclenny			Pntvdrabch			Welaka		
Celebratn			Greensboro			Madison			Poinciana			Wellbom		
Century			Greenville			Malone			Polk City			Westville		
Chatahoche			Greenwood			Marco Is			Pomonapark			Wewahitchk		
Cherrylake			Gretna			Marianna			Pompanobch			White Spg		
Chiefland			Groveland			Maxville			Ponce Leon			Wildwood		
Chipley			Gulfbreeze		X	Mayo			Portst Joe			Williston		
Citra			Hainescity			Mcintosh			Ptcharlott			Windermere		
Clearwater			Hastings			Melbourne			Ptst Lucie			Winter Hvn		
Clermont			Havana			Melrose			Puntagorda			Wintergrdn		
Clewiston			Hawthorne			Miami			Quincy			Winterpark		
Cocoa			High Spg			Micanopy			Raiford			Wkissimmee		
Cocoabeach			Hilliard			Middleburg			Reedycreek			Wpalmbeach		
Coral Spg			Hobe Sound			Milton			Reynoldshl			Yankeetown		
Cottondale			Holleynvrr			Molino			Salt Spg			Yongstfntn		
Crawfordvl			Hollywood			Monticello			Sanantonio			Yulee		
Crescent City			Homestead			Montverde			Sanderson			Zephyrhils		
Crestview			Homosssspg			Moorehaven			Sanford			Zolfo Spg		
Cross City			Hosford			Mount Dora			Sanrosabch					
Crystalriv			Howeyinhls			Mulberry			Sarasota					

FLORIDA PUBLIC SERVICE COMMISSION

2006 CLEC Data Request TABLE-1

(Data as of May 31, 2006)

N/A

Company Name: [   ]

Company Code*: [   ]

* Your CLEC Company code is shown on the label affixed to the envelope in which this was mailed and on the cover letter.

CLEC TABLE-1: TRADITIONAL ACCESS LINES on a VOICEGRADE EQUIVALENT (VGE) Basis

DO **NOT** INCLUDE VoIP, WHOLESALE PLATFORM LINES (lines formally known as UNE-P), ANY UNE-P LINES THAT HAVE NOT YET TRANSITIONED, RESOLD LINES (INCLUDING THOSE SOLD UNDER COMMERCIAL AGREEMENTS) OR PRIVATE LINES IN THIS TABLE

1	2	3
		Total VGE
ILEC Territory	Res or Bus	Lines
Grand Total		

NOTES/INSTRUCTIONS FOR COMPLETING TABLE-1:

A. The purpose of this table is to obtain CLEC retail access lines on a VGE basis, exclusive of VoIP, wholesale platform (lines formerly known as UNE-P), any UNE-P lines that have not yet transitioned, and resale (whether leased under an Interconnection Agreement or a Commercial Agreement).

B. An access line connects the end user's customer premises equipment (CPE) to the serving switch and allows the end user to originate and/or terminate local telephone calls on the public switched telephone network (PSTN). Do NOT include VoIP lines, Wholesale Platform lines, UNE-P lines or Resold access lines (including those leased under a Commercial Agreement). Do include UNE-L and EELs obtained from ILECs even if leased under a Commercial Agreement. The access line counts in Table-1 above must be based on all of your different types of access lines (including fixed wireless) with the exception of those used to provide VoIP service.

C. Each field must be populated. Do not use quotation marks.

D. Residential and business VGE access line counts may be obtained by querying your billing database, provisioning database, etc.

TABLE COLUMN INSTRUCTIONS:

Column 1. List ILEC Territory in alphabetical order (e.g. BellSouth, Verizon, etc.).

Column 2. Enter the abbreviation Res for Residential lines or Bus for Business lines. Each type must be entered in separate rows.

Column 3. Enter line count as voice-grade equivalents (VGEs). Report VGE Access Lines based on how you bill the customer. If you bill a customer for 1 DS1, the access line count would be 24 even if the customer is not utilizing all 24 channels. If you bill a customer for 10 channels in a DS1, then the line count would be 10. Report 2 VGEs for each ISDN-BRI and 23 VGEs for each ISDN-PRI. Lines must be entered without duplication, e.g., Enhanced Extended Link (EEL) loops must not be included in UNE-L counts and vice versa. Each line count must be entered in separate rows.

FLORIDA PUBLIC SERVICE COMMISSION

2006 CLEC Data Request TABLE-2

(Data as of May 31, 2006)

N/A

Company Name:

Company Code*:

* Your CLEC Company code is shown on the label affixed to the envelope in which this was mailed and on the cover letter.

CLEC TABLE-2: ACCESS LINE COUNTS (not VGEs)

DO **NOT** INCLUDE VoIP, WHOLESALE PLATFORM LINES (lines formally known as UNE-P), ANY UNE-P LINES THAT HAVE NOT YET TRANSITIONED, RESOLD LINES (INCLUDING THOSE SOLD UNDER COMMERCIAL AGREEMENTS) OR PRIVATE LINES IN THIS TABLE

1	2	3	4
ILEC Territory	Res or Bus	Line Type	Total Lines

NOTES/INSTRUCTIONS FOR COMPLETING TABLE-2:

A. The purpose of this table is to obtain a breakdown of access lines (reported in Table-1) by line type and actual line counts, not VGEs.

B. Each field must be populated. All entries must be made without quotation marks.

TABLE COLUMN INSTRUCTIONS:

Column 1. List ILEC Territory in alphabetical order (a.g. BellSouth, Verizon, etc.).

Column 2. Enter the abbreviation Res for Residential lines or Bus for Business lines. Each type must be entered in separate rows.

Column 3. For each line connected to the customer premises, enter Line Type as Analog, ISDN-BRI, ISDN-PRI, DS1, DS3, OC1, OC3, OCn (Identify value of n), xDSL (Identify x), etc. Include only those high speed lines that also provide voice. Each type must be entered in separate rows.

Column 4. Enter actual line count total, not VGEs, in the Total Lines column. EXAMPLE: Enter 1 for 1 Analog loop, 2 for 2 ISDN-PRI loops, etc. Each actual line count total must be entered in separate rows.

FLORIDA PUBLIC SERVICE COMMISSION

2006 CLEC Data Request TABLE-3

(Data as of May 31, 2006)

N/A

Company Name:

Company Code*:

* Your CLEC Company code is shown on the label affixed to the envelope in which this was mailed and on the cover letter.

CLEC TABLE-3: VoIP ACCESS LINES on a VOICEGRADE EQUIVALENT (VGE) Basis

THIS TABLE IS INTENTED TO ONLY CAPTURE VoIP LINES. DO NOT INCLUDE LINES REPORTED ON TABLE 1 IN THIS TABLE

1	2	3
ILEC Territory	Res or Bus	Total VGE Lines
Grand Total		

NOTES/INSTRUCTIONS FOR COMPLETING TABLE-3:

A. The purpose of this table is to obtain retail VoIP access lines on a VGE basis.

B. An access line connects the end user's customer premises equipment (CPE) to the serving switch and allows the end user to originate and/or terminate local telephone calls on the public switched telephone network (PSTN). The access line counts in Table 3 above must be based on all of your different types of access lines (including fixed wireless) that are used to provide VoIP service.

C. Each field must be populated. All entries must be made without quotation marks.

TABLE COLUMN INSTRUCTIONS:

Column 1. List ILEC Territory in alphabetical order (e.g. BellSouth, Verizon, etc.).

Column 2. Enter the abbreviation Res for Residential lines or Bus for Business lines. Each type must be entered in separate rows.

Column 3. Enter line count as voice-grade equivalents (VGEs). Report VGEs based on how the customer is billed. If the customer is billed for a dynamic bandwidth VoIP product, the line count would be the maximum number of VoIP lines available. If the customer is billed for a specific number of VoIP lines, or a range of lines, the VoIP line count would be the number of VoIP lines or the highest number of the range, respectively. Each line count must be entered in separate rows.

FLORIDA PUBLIC SERVICE COMMISSION

2006 CLEC Data Request TABLE-2

(Data as of May 31, 2006)

Company Name: Baldwin County Internet/DSSI Service LLC

Company Code*: TX 725

* Your CLEC Company code is shown on the label affixed to the envelope in which this was mailed and on the cover letter.

CLEC TABLE-2: ACCESS LINE COUNTS (not VGEs)

DO NOT INCLUDE VoIP, WHOLESALE PLATFORM LINES (lines formally known as UNE-P), ANY UNE-P LINES THAT HAVE NOT YET TRANSITIONED, RESOLD LINES (INCLUDING THOSE SOLD UNDER COMMERCIAL AGREEMENTS) OR PRIVATE LINES IN THIS TABLE

1	2	3	4
ILEC Territory	Res or Bus	Line Type	Total Lines
Bell South	5	ISDN-PRI	5

NOTES/INSTRUCTIONS FOR COMPLETING TABLE-2:

A. The purpose of this table is to obtain a breakdown of access lines (reported in Table-1) by line type and actual line counts, not VGEs.

B. Each field must be populated. All entries must be made without quotation marks.

TABLE COLUMN INSTRUCTIONS:

Column 1. List ILEC Territory in alphabetical order (e.g. BellSouth, Verizon, etc.).

Column 2. Enter the abbreviation Res for Residential lines or Bus for Business lines. Each type must be entered in separate rows.

Column 3. For each line connected to the customer premises, enter Line Type as Analog, ISDN-BRI, ISDN-PRI, DS1, DS3, OC1, OC3, OCn (Identify value of n), xDSL (identify x), etc. Include only those high speed lines that also provide voice. Each type must be entered in separate rows.

Column 4. Enter actual line count total, not VGEs, in the Total Lines column. EXAMPLE: Enter 1 for 1 Analog loop, 2 for 2 ISDN-PRI loops, etc. Each actual line count total must be entered in separate rows.