

Keating, Beth

ORIGINAL

From: Keating, Beth

Sent: Tuesday, March 27, 2007 12:09 PM

To: 'filings@psc.state.fl.us'

*— filing hand-delivered - ac
- ram*

Subject: Docket No. 070127-TX

Attachments: 20070327114300981.pdf

Good afternoon,

Please find the attached document, which is submitted for filing, as set forth below.

A. The person responsible for this filing is:

Beth Keating
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B. The Docket in which the document should be filed is:

Docket No. 070127-TX - Petition of Neutral Tandem, Inc. for Interconnection with Level 3 Communications and Request for Expedited Resolution

C. The company on whose behalf this letter is filed is:

Neutral Tandem, Inc.

D. Total number of pages in attached document: 2

E. Description: Neutral Tandem's Response to Level 3's Letter of March 26, 2007

DOCUMENT NUMBER-DATE

02649 MAR 27 5

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March 27, 2007

VIA EMAIL Ken@reuphlaw.com

Kenneth A. Hoffman, Esquire
Rutledge, Ecenia, Purnell & Hoffman, P.A.
P.O. Box 551
Tallahassee, FL 32302

Re: Docket No. 070127-TX

Dear Mr. Hoffman:

We are in receipt of your letter dated yesterday and filed on Level 3's behalf. In the letter, Level 3 disputes certain arguments made by Neutral Tandem in its response to Level 3's Motion to Dismiss ("Motion"), claiming that those arguments "require[] a response." The letter also follows-up on Neutral Tandem's objections to the discovery requests Level 3 has served.

At the outset, Neutral Tandem takes the position that Level 3's letter is tantamount to the submission of a reply brief in support of Level 3's Motion. We note that the Commission's rules and procedures do not provide for the filing of a reply brief in support of Level 3's Motion.

Neutral Tandem therefore believes that the argument contained in Level 3's letter is inappropriate, and that a Motion to Strike the letter would be well-founded. However, in the interest of keeping this matter focused on the merits of the parties' respective positions, Neutral Tandem simply states that it stands behind its arguments.

Regarding the claim that Neutral Tandem did not allege that it provides "local exchange telecommunications services" in Florida, Neutral Tandem respectfully refers Commission staff and the Commission to pages 10-12 of Neutral Tandem's response and pages 1, 2, 3, and 9 of Neutral Tandem's petition.

Kenneth A. Hoffman, Esquire

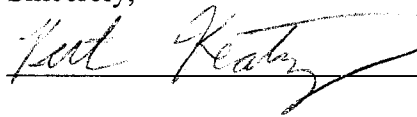
March 27, 2007

Page 2

Regarding the claim referencing Section 364.162, Florida Statutes, Neutral Tandem respectfully refers Commission staff and the Commission to page 12 of Neutral Tandem's response and pages 1, 3, and 9 of Neutral Tandem's petition.

Finally, Neutral Tandem stated in its objections that it was willing to meet and confer regarding those objections. We look forward to pursuing those discussions, and I will call you later this week to discuss Neutral Tandem's objections.

Sincerely,



Beth Keating

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cc: Gregg Strumberger, Esq.
Ron Gavillet, Esq.
John Harrington, Esq.
Adam Teitzman, Esq.
Ms. Sally Simmons
Martin P. McDonnell, Esq.
Commission Clerk and Administrative Services