

Ruth Nettles**ORIGINAL**

From: Keating, Beth [beth.keating@akerman.com]
Sent: Friday, July 27, 2007 5:04 PM
To: Filings@psc.state.fl.us
Subject: Docket No. 070408
Attachments: 20070727174833061.pdf

Attached for filing in Docket No. 070408-TP, please find Neutral Tandem's Unopposed Motion for Extension of Time to File Response to Level 3's Motion to Dismiss. If you have any questions, please do not hesitate to contact me.

Sincerely,
 Beth Keating

A. Beth Keating
Akerman Senterfitt
106 East College Ave., Suite 1200
Tallahassee, FL 32301
(850) 224-9634
(850) 521-8002 (direct)
beth.keating@akerman.com

B. Docket No. 070408-TP - Petition of Neutral Tandem, Inc. and Neutral Tandem-Florida, LLC for Resolution of Interconnection Dispute with Level 3 Communications and Request for Expedited Resolution

C. On behalf of Neutral Tandem, Inc. and Neutral Tandem-Florida, LLC

D. Unopposed Motion for Extension of Time to File Response to Level 3's Motion to Dismiss - 4 pages total

E. Unopposed Motion for Extension of Time to File Response to Level 3's Motion to Dismiss



www.akerman.com | [Bio](#) | [V Card](#)

CONFIDENTIALITY NOTE: The information contained in this transmission may be privileged and confidential information, and is 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 transmission in error, please immediately reply to the sender that you have received this communication in error and then delete it. Thank you.

CIRCULAR 230 NOTICE: To comply with U.S. Treasury Department and IRS regulations, we are required to advise you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this e-mail, including attachments to this e-mail, is not intended or written to be used, and cannot be used, by any person for the purpose of (i) avoiding penalties under the U.S. Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this e-mail or attachment.

DOCUMENT NUMBER-DATE

06466 JUL 30 8

FPSC-COMMISSION CLERK

7/30/2007

ORIGINAL



Fort Lauderdale
Jacksonville
Los Angeles
Madison
Miami
New York
Orlando
Tallahassee
Tampa
Tysons Corner
Washington, DC
West Palm Beach

Suite 1200
106 East College Avenue
Tallahassee, FL 32301
www.akerman.com
850 224 9634 tel 850 222 0103 fax

July 27, 2007

ELECTRONIC FILING

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32309

**Docket No. 070408-TP - Petition of Neutral Tandem, Inc. and Neutral Tandem-Florida, LLC
for Resolution of Interconnection Dispute with Level 3 Communications and Request for
Expedited Resolution**

Dear Ms. Cole:

Enclosed for filing in the above-referenced Docket, please find Neutral Tandem's Unopposed Motion for Extension of Time to File its Response to Level 3's Motion to Dismiss.

Your assistance in this matter is greatly appreciated. If you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

Beth Keating
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
Tallahassee, FL 32302-1877
Phone: (850) 224-9634
Fax: (850) 222-0103

Enclosures

{TL132663;1}

DOCUMENT NUMBER-DATE

06466 JUL 30 08

FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of Neutral Tandem, Inc.)	Docket No. 070408-TP
for Resolution of Interconnection Dispute)	
with Level 3 Communications and Request)	Filed: July 27, 2007
for Expedited Resolution)	
)	

**NEUTRAL TANDEM, INC. AND NEUTRAL TANDEM-FLORIDA, LLC'S
UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO LEVEL 3 COMMUNICATIONS, LLC'S
MOTION TO DISMISS**

Neutral Tandem, Inc. and Neutral Tandem-Florida, LLC (hereafter "Neutral Tandem"), by and through its undersigned counsel, hereby moves for a brief extension of time for filing its Response in Opposition the Motion to Dismiss filed by Level 3 Communications, LLC ("Level 3"). Neutral Tandem also requests that the time for the filing and service of its Response be tolled pending a ruling on this Motion. In support of this request, Neutral Tandem states as follows:

1. On Wednesday, July 25, 2007, counsel for Neutral Tandem received a copy of Level 3's Motion to Dismiss and Response to Petition of Neutral Tandem, Inc. and Neutral Tandem-Florida, LLC, for Resolution of Interconnection Dispute and Request for Expedited Resolution. Under Rules 25-22.0365(9)(c), 28-106.103, and 28-106.204(1), Neutral Tandem's Response would be due to be filed and served on August 1, 2007.
2. Counsel for Neutral Tandem has a number of commitments over the next several days, including participation in a formal hearing in Minnesota regarding Neutral Tandem's dispute with Level 3 in that State. Similarly, local counsel is scheduled for work-related travel, as well as meetings and preparation for the August 1, 2007, workshop pertaining to Dockets Nos. 070298-EI and 070299-EI.

3. Level 3's Motion raises a number of arguments that Neutral Tandem intends to address as expeditiously as possible. However, in light of current commitments of both Florida counsel and chief counsel for Neutral Tandem, additional time is needed to prepare a complete response to Level 3's Motion. Neutral Tandem seeks an extension of two days, until August 3, 2007, to file its Response. Neutral Tandem will endeavor to file its Response sooner if at all possible given these circumstances.

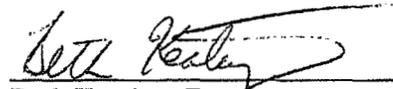
4. Counsel for Neutral Tandem has conferred with counsel for Level 3 and is authorized to represent that Level 3 has no objection to this Request.

Wherefore, for all of the foregoing reasons, Neutral Tandem respectfully requests that the Prehearing Officer grant this Motion, allowing Neutral Tandem an additional two days to file its Response to Level 3's Motion to Dismiss on August 3, 2007.

Respectfully submitted,

NEUTRAL TANDEM, INC.

By:



Beth Keating, Esquire
Akerman Senterfitt
106 East College Avenue, Suite 1200
P.O. Box 1877 (32302)
Tallahassee, Florida 32301
(850) 521-8002
beth.keating@akerman.com

Attorney for Neutral Tandem, Inc.

Ronald Gavillet
Executive Vice President &
General Counsel
Neutral Tandem, Inc.
One South Wacker, Suite 200
Chicago, IL 60606
(312) 384-8000
rongavillet@neutraltandem.com

John R. Harrington
Jenner & Block LLP
330 N. Wabash Ave.
Suite 4700
Chicago, IL 60611
(312) 222-9350
jharrington@jenner.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via U.S. Mail First Class and Electronic Mail to Kenneth Hoffman, Esquire, Rutledge, Ecenia, Purnell, and Hoffman, P.A., 215 South Monroe Street, Suite 420, Tallahassee, FL 32301 (ken@reuphlaw.com), and that a copy has also been provided to the persons listed below this 27th day of July, 2007:

Gregg Strumberger, Esquire*
Gregory Rogers, Esquire*
Level 3 Communications, Inc.
1025 El Dorado Boulevard
Broomfield, CO 80021
gregg.strumberger@level3.com

Adam Teitzman, Staff Counsel
Florida Public Service Commission,
Office of the General Counsel
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
ateitzma@psc.state.fl.us

Beth Salak, Director/Division of Competitive Markets and Enforcement
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
bsalak@psc.state.fl.us

By:



Beth Keating
Akerman Senterfitt
106 East College Avenue, Suite 1200
P.O. Box 1877 (32302)
Tallahassee, Florida 32301
(850) 521-8002
Fax: (850) 222-0103
beth.keating@akerman.com