

Ruth Nettles

From: Smith, Debbie N. [ds3504@att.com]
Sent: Friday, September 28, 2007 10:22 AM
To: Filings@psc.state.fl.us
Cc: Carver, J; Gurdian, Manuel; Eller, Perry; Woods, Vickie; Holland, Robyn P; Follensbee, Greg
Subject: Florida Docket No. 050863-TP
Importance: High
Attachments: Joint Motion.pdf

- A. Debbie N. Smith
Assistant to J. Phillip Carver
AT&T Southeast
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301
(404) 335-0772
debbie.n.smith@att.com
- B. Docket No. 050863-TP: dPi Teleconnect, L.L.C. v. BellSouth Telecommunications, Inc.
- C. BellSouth Telecommunications, Inc.
on behalf of J. Phillip Carver
- D. 4 pages total (includes letter, certificate of service and pleading)
- E. Emergency Joint Motion for Continuance

<<Joint Motion.pdf>>

Debbie N. Smith (sent on behalf of J. Phillip Carver)
AT&T Southeast
675 West Peachtree Street, N.E.
Suite 4300
Atlanta, Georgia 30375
(404) 335-0772
Please note my new email address is debbie.n.smith@att.com

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers. GA622

DOCUMENT NUMBER-DATE

08916 SEP 28 5

9/28/2007

FDSC-COMMISSION CLERK



J. Phillip Carver
Senior Attorney
Legal Department

AT&T Florida
150 South Monroe Street
Suite 400
Tallahassee, FL 32301

T: 404.335.0710
F: 404.614.4054
j.carver@att.com

September 28, 2007

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

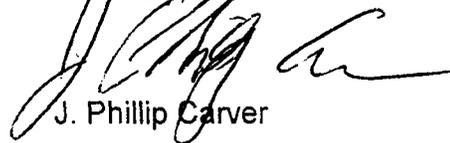
**Re: Docket No. 050863-TP: dPi Teleconnect, L.L.C. v. BellSouth
Telecommunications, Inc.**

Dear Ms. Cole:

Enclosed is the Emergency Joint Motion for Continuance, which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,



J. Phillip Carver

cc: All parties of record
Chris Malish
Jerry Hendrix
James Meza III
E. Earl Edenfield, Jr.

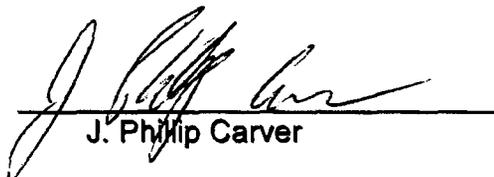
**CERTIFICATE OF SERVICE
DOCKET NO. 050863-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
Electronic Mail and Federal Express this 28th day of September, 2007 to the following:

Theresa Tan
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ltan@psc.state.fl.us

Christopher Malish
Steven Tepera (+)
Foster Malish Blair & Cowan LLP
1403 West Sixth Street
Austin, TX 78703
Tel. No. (512) 476-8591
Fax. No. (512) 477-8657
chrismalish@fostermalish.com
steventepera@fostermalish.com
Counsel for dPi

DPI-Teleconnect, LLC
2997 LBJ Freeway, Suite 225
Dallas, TX 75234-7627
Tel. No. (972) 488-5500 x4001
Fax No (972) 488-8636
ddorwart@dpiteleconnect.com



J. Philip Carver

(+) Signed Protective Agreement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: dPi Teleconnect, L.L.C. v.)
BellSouth Telecommunications, Inc.)

Docket No. 050863-TP

Filed: September 28, 2007

EMERGENCY JOINT MOTION FOR CONTINUANCE

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida"), and dPi Teleconnect, L.L.C. ("dPi") hereby file their Emergency Joint Motion for Continuance of the hearing currently set to take place October 1, 2007, in the above-captioned proceeding, and state as grounds in support thereof the following:

1. The parties are engaged in settlement negotiations and are attempting to resolve the issues in this case, both for Florida and on a regional-wide basis. The parties are hopeful that, as a result of these negotiations, this matter will be amicably resolved, so that there will be no need for a hearing to take place either on October 1, 2007 or at any future time. Although the parties are hopeful that negotiations will move forward promptly, it is not realistic to believe that negotiations can be completed prior to Monday, October 1, 2007, when the instant case is set to be heard.

2. For the above reasons, AT&T Florida and dPi jointly request on an emergency basis that the Commission grant a continuance of the hearing currently set for October 1, 2007. The undersigned counsel for AT&T Florida has obtained express consent from counsel for dPi to make this Motion on behalf of both parties, and to present it as a Joint Motion.

WHEREFORE, AT&T Florida and dPi respectfully request the entry of an Order continuing the hearing in the above-styled matter.

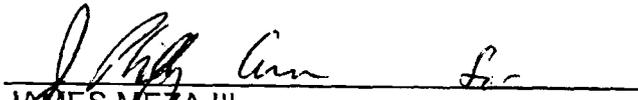
DOCUMENT NUMBER-DATE

08916 SEP 28 5

FPSC-COMMISSION CLERK

Respectfully submitted this 28th day of September, 2007.

CHRISTOPHER MALISH
STEVEN TEPERA
Foster Malish Blair & Cowan LLP
1403 West Sixth Street
Austin, TX 78703
(512) 476-8591



JAMES MEZA III
AUTHORIZED HOUSE COUNSEL NO.
464260
TRACY W. HATCH
MANUEL A. GURDIAN
AT&T Florida
c/o Gregory R. Follensbee
150 South Monroe Street, Suite 400
Tallahassee, FL 32301
(305) 347-5558



E. EARL EDENFIELD, JR.
J. PHILLIP CARVER
AT&T Southeast
Suite 4300
675 W. Peachtree St., NE
Atlanta, GA 30375
(404) 335-0710

#692055