

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA FPSC, CLK - CORRESPONDENCE  
TALLAHASSEE DIVISION

✓ Administrative Parties Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

dPi TELECONNECT, L.L.C., )  
 )  
 )  
 Plaintiff, )  
 )  
 )  
 vs. )  
 )  
 )  
 FLORIDA PUBLIC SERVICE COMMISSION, ETC, )  
 ET AL., )  
 )  
 and )  
 )  
 )  
 BELLSOUTH TELECOMMUNICATIONS, INC. )  
 d/b/a AT&T FLORIDA, )  
 )  
 )  
 Defendants. )  
 )  
 \_\_\_\_\_ )

4:08-CV-509-RS/WCS  
FPSC Docket No. 050863-TP

**CERTIFICATE OF RECORD**

I, Ann Cole, Commission Clerk and Custodian of Records for the Office of Commission Clerk, Florida Public Service Commission, for the State of Florida, do certify that the foregoing pages 1 through 6,337, inclusive, contains a true and correct copy of such papers in the above-styled matter as appears in the files in my office and that have been included in said record, pursuant to the Instructions to Clerk and Supplemental Directions to Clerk.

CERTIFIED this 28th day of April, 2009, in Tallahassee, Leon County, Florida.

  
\_\_\_\_\_  
Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
(850) 413-6744

(SEAL)

COMMISSIONERS:  
NANCY ARGENZIANO, CHAIRMAN  
LISA POLAK EDGAR  
NATHAN A. SKOP

STATE OF FLORIDA

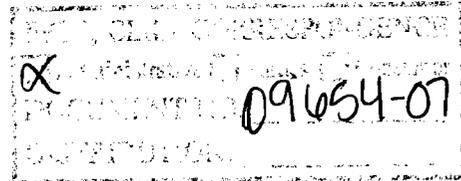


OFFICE OF COMMISSION CLERK  
ANN COLE  
COMMISSION CLERK  
(850) 413-6770

Public Service Commission

June 15, 2010

Norman H. Horton, Esquire  
Messer Law Firm  
P.O. Box 15579  
Tallahassee, FL 32317



**Re: Return of Confidential Documents to the Source, Docket No. 050863-TP**

Dear Mr. Horton:

Commission staff has advised that confidential Document No. 01743-08, filed on behalf of dPi Teleconnect, LLC, can be returned to the source. The document is enclosed.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "KMP".

Kimberley M. Peña  
Records Management Assistant

AC:kmp  
Enclosure

cc: Frank Trueblood, Division of Regulatory Analysis  
Rosanne Gervasi, Office of General Counsel

RECEIVED

A large, stylized handwritten signature in black ink, written over a horizontal line.

DATE 7-2-10

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LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK  
ANN COLE  
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(850) 413-6770

Public Service Commission

April 28, 2009

William M. McCool, Clerk  
United States District Court, Northern District  
111 North Adams Street  
Tallahassee, Florida 32301-7730

FPSC, CLK - CORRESPONDENCE

Administrative Parties Consumer

DOCUMENT NO. 09654-07

DISTRIBUTION: \_\_\_\_\_

RECEIVED-FPSC  
09 MAY - 1 AM 8:44  
COMMISSION CLERK

Re: U.S. District Court Case No. 4:08-cv-509-RS/WCS – dPi Teleconnect, L.L.C. vs. Florida Public Service Commission, et al., and BellSouth Telecommunications, Inc. d/b/a AT&T Florida (Docket No. 050863-TP)

Dear Mr. McCool:

Enclosed please find the Record on Appeal in the above-referenced matter, consisting of 32 binders, Attachment One, Attachment Two, and Attachment Three for filing with the United States District Court, Northern District. Please initial and date the copy of this letter provided as confirmation of filing.

*not provided*

If you have any questions regarding this record, please feel free to contact me.

Sincerely,

Ann Cole  
Commission Clerk

AC:mhmc  
Enclosure

cc: Robert J. Telfer, III, Esquire  
Norman H. Horton, Esquire  
Christopher Malish, Esquire  
Manuel A. Gurdian, Esquire  
E. Earl Edenfield, Jr., Esquire  
Tracy W. Hatch, Esquire  
Samantha Cibula, Office of the General Counsel  
Rosanne Gervasi, Office of the General Counsel

09 APR 30 AM 10:26  
FILED

RECEIVED \_\_\_\_\_ DATE \_\_\_\_\_

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**Marguerite McLean**

050863-TP

**From:** Michael Staden  
**Sent:** Wednesday, April 29, 2009 12:03 PM  
**To:** Marguerite McLean; Dorothy Menasco  
**Cc:** Kimberley Pena  
**Subject:** FedEx Tracking Information  
**Attachments:** CLK-FedEx

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✓ Administrative Parties Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

Attached is the tracking information. We're going to send them 2nd Day Air to assure that they get there by Friday.

(Appeal Record 4:08-cv-509-RS/WCS)

4/30/2009

**FedEx** Shipment Receipt**Address Information****Ship to:**

William M McCool, Clerk  
United States Courthouse  
30 W GOVERNMENT ST

**Ship from:**

Michael Staden  
FL Public Service Commission  
2540 Shumard Oak Blvd

PANAMA CITY, FL  
32401-2758  
US  
850.769.4556

Tallahassee, FL  
32399  
US  
8504136261

**Shipping Information**

Tracking number: 797549233677  
Ship date: 04/29/2009  
Estimated shipping charges: 80.55

**Package Information**

Service type: FedEx 2-Day  
Package type: Your Packaging  
Number of packages: 6  
Total weight: 191LBS  
Declared value: 0.00USD  
Special Services:  
Pickup/Drop-off: Contact FedEx for courier pickup

**Billing Information**

Bill transportation to: Sender  
Your reference:  
P.O. no.:  
Invoice no.:  
Department no.:

Thank you for shipping online with FedEx ShipManager at [fedex.com](http://fedex.com).

**Please Note**

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits; Consult the applicable FedEx Service Guide for details.

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STATE OF FLORIDA



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ANN COLE  
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# Public Service Commission

April 28, 2009

FPSC, CLK - CORRESPONDENCE  
✓ Administrative Parties Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

William M. McCool, Clerk  
United States District Court, Northern District  
111 North Adams Street  
Tallahassee, Florida 32301-7730

**Re: U.S. District Court Case No. 4:08-cv-509-RS/WCS – dPi Teleconnect, L.L.C. vs.  
Florida Public Service Commission, et al., and BellSouth Telecommunications, Inc.  
d/b/a AT&T Florida (Docket No. 050863-TP)**

**Dear Mr. McCool:**

Enclosed please find the Record on Appeal in the above-referenced matter, consisting of 32 binders, Attachment One, Attachment Two, and Attachment Three for filing with the United States District Court, Northern District. Please initial and date the copy of this letter provided as confirmation of filing.

If you have any questions regarding this record, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ann Cole".

Ann Cole  
Commission Clerk

AC:mhmc  
Enclosure

cc: Robert J. Telfer, III, Esquire  
Norman H. Horton, Esquire  
Christopher Malish, Esquire  
Manuel A. Gurdian, Esquire  
E. Earl Edenfield, Jr., Esquire  
Tracy W. Hatch, Esquire  
Samantha Cibula, Office of the General Counsel  
Rosanne Gervasi, Office of the General Counsel

*[CLK note: Record  
mailed to Panama City  
U.S. Court on 4/29/09.]  
NMcLean*

RECEIVED \_\_\_\_\_

DATE \_\_\_\_\_

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NATHAN A. SKOP

STATE OF FLORIDA



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## Public Service Commission

April 28, 2009

Manuel A. Gurdian, Esquire  
AT&T Florida  
150 South Monroe Street, Suite 400  
Tallahassee, Florida 32301

FPSC, CLK - CORRESPONDENCE  
✓ Administrative Parties Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

**Re: Re: U.S. District Court Case No. 4:08-cv-509-RS/WCS – dPi Teleconnect, L.L.C. vs. Florida Public Service Commission, et al., and BellSouth Telecommunications, Inc. d/b/a AT&T Florida (Docket No. 050863-TP)**

Dear Mr. Gurdian:

I have enclosed an invoice reflecting charges for preparation of the above-referenced appeal record, per your Supplemental Directions to Clerk. Please forward a check in the amount indicated, made payable to the Florida Public Service Commission, at your earliest convenience.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Ann Cole".

Ann Cole  
Commission Clerk

AC:mhmc  
Enclosure

# FLORIDA PUBLIC SERVICE COMMISSION

2540 Shumard Oak Blvd. ♦ Tallahassee, Florida 32399-0850

10815

**Date:** April 28, 2009

\*\*\*PENDING\*\*\*

**To:** Manuel A. Gurdian, Esquire  
 AT&T Florida  
 150 South Monroe Street, Suite 400  
 Tallahassee, Florida 32301

Date Paid \_\_\_\_\_

Amount Paid \_\_\_\_\_

Check # \_\_\_\_\_

Check     Cash

PSC Signature \_\_\_\_\_

↑                    ↑  
 This number must appear on  
 all checks or correspondence  
 regarding this invoice.

Please make checks payable to: FLORIDA PUBLIC SERVICE COMMISSION

QUANTITY	DESCRIPTION	PRICE	AMOUNT
14,838 pages 6 CDs	Copying and preparation of Docket 050863-TP on appeal to U.S. District Court, Case No. 4:08-cv-509-RS/WCS	@.05¢/pg @\$1.00/CD	\$741.90 6.00
<b>TOTAL</b>			<b>\$747.90</b>

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# Public Service Commission

April 28, 2009

Robert J. Telfer, III, Esquire  
Messer, Caparello & Self, P.A.  
2618 Centennial Place  
Tallahassee, Florida 32308

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**Re: U.S. District Court Case No. 4:08-cv-509-RS/WCS – dPi Teleconnect, L.L.C. vs.  
Florida Public Service Commission, et al., and BellSouth Telecommunications, Inc.  
d/b/a AT&T Florida (Docket No. 050863-TP)**

Dear Mr. Telfer:

I have enclosed an invoice reflecting charges for preparation of the above-referenced appeal record, per your Instructions to Clerk. Please forward a check in the amount indicated, made payable to the Florida Public Service Commission, at your earliest convenience.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Cole".

Ann Cole  
Commission Clerk

AC:mhmc  
Enclosure

# FLORIDA PUBLIC SERVICE COMMISSION

2540 Shumard Oak Blvd. ♦ Tallahassee, Florida 32399-0850

10814

**Date:** April 28, 2009

\*\*\*PENDING\*\*\*

**To:** Robert J. Telfer, III, Esquire  
 Messer, Caparello & Self, P.A.  
 2618 Centennial Place  
 Tallahassee, Florida 32308

Date Paid \_\_\_\_\_

Amount Paid \_\_\_\_\_

Check # \_\_\_\_\_

Check     Cash

PSC Signature \_\_\_\_\_

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 This number must appear on  
 all checks or correspondence  
 regarding this invoice.

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QUANTITY	DESCRIPTION	PRICE	AMOUNT
2,683 Pages	Copying and preparation of	@.05¢ per pg	\$134.15
1 CD	Docket 050863-TP on appeal to	@\$1.00 per CD	1.00
1 Certificate of Director	U.S. Direcit Court, Case No. 4:08-cv-509-RS/WCS		4.00
<b>TOTAL</b>			<b>\$139.15</b>



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# Public Service Commission

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CLERK

~~M-E-M-O-R-A-N-D-U-M-~~  
FPSC, CLK - CORRESPONDENCE  
Administrative Parties Consumer

DATE: April 24, 2009  
 TO: Beth W Salak, Director, Division of Regulatory Compliance  
 FROM: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk  
 RE: Docket No. 050863-TP - Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

DOCUMENT NO. 09654-07  
 DISTRIBUTION: \_\_\_\_\_

Permission is requested to make one copy each of the following confidential documents from Docket No. 050863-TP, in order to include them with the record that is being prepared for filing in the Federal Court, Case No. 4:08-cv-509-RS/WCS, pursuant to APM Section 11.04.9.j. The documents are:

**07025-07** - AT&T Florida (Hatch) - (CONFIDENTIAL) Responses and objections to dPi's 1st request for information, Nos. 1-3, 1-16, 1-22 (provided in paper format) and 1-17 (provided on CD only), which contain confidential business information. [x-ref. DN 07864-07] [See DNs 08773-07 and 08824-07 for partial declassification of document; Portions 1-16 and 1-22 to remain confidential.] [CLK note: Document part of Hearing Exhibit No. 13.]

**07864-07** - AT&T Florida (Meza, Edenfield) - (CONFIDENTIAL) Responses and objections to dPi's 1st request for information, Nos. 1-3, 1-16, and 1-22 (provided in paper format) and 1-17 (provided on CD only). [x-ref. DN 07025-07] [CLK note: Document part of Hearing Exhibit Nos. 12 and 13.]

**08633-07** - AT&T Florida (Gurdian, Edenfield) - (CONFIDENTIAL) Response to staff's 2nd request for PODs (No. 10). [CLK note: Confidential information provided on CD and hard copy.] [x-ref. DN 08939-07] [CLK note: Document part of Hearing Exhibit No. 6.]

**08866-07** - AT&T Florida (Hatch) - (CONFIDENTIAL) Response to dPi's 1st request for information, No. 1-19, in compliance with Order of Prehearing Officer. [CLK note: Response provided on CD only.] [x-ref. DN 08943-07] [CLK note: Document part of Hearing Exhibit No. 13.]

**08939-07** - AT&T Florida (Meza, Gurdian, Carver) - (CONFIDENTIAL) Response to staff's 2nd request for PODs (No. 10). [x-ref. DN 08633-07] [CLK note: Document part of Hearing Exhibit No. 6.]

**08943-07** - AT&T Florida (Meza, Gurdian, Carver) - (CONFIDENTIAL) Response to dPi's request for information (Nos. 1-19), as required by ruling on dPi's motion to compel, included in prehearing order. [x-ref. DN 08866-07] [CLK note: Document part of Hearing Exhibit No. 13.]

- COM \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCP \_\_\_\_\_
- SSC \_\_\_\_\_
- SGA \_\_\_\_\_
- ADM \_\_\_\_\_
- CLK McLean

Memorandum to Beth Salak

April 23, 2009

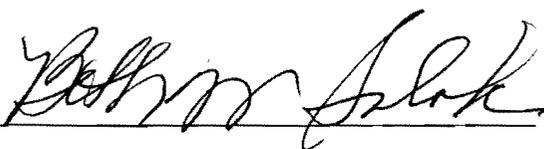
Page 2

**10226-07** - AT&T Florida (Hatch, Foshee, Carver) - (CONFIDENTIAL) Supplemental response to dPi's 1st request for information (No. 1-19). [x-ref. DN 10483-07]

**10483-07** - AT&T Florida (Edenfield, Gurdian, Carver) - (CONFIDENTIAL) Supplemental response to dPi's request for information (Nos. 1-19). [CLK note: Confidential information provided on CD only.] [x-ref. DN 10226-07]

**01743-08** - dPi (Horton) - (CONFIDENTIAL) Exh 7C [to direct testimony of Steven Tepera, DN 01742-08]. [CLK note: Document contains 1 CD.]

cc: Samantha Cibula  
Rosanne Gervasi

Approved: 

Date: 4/24/09

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



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# Public Service Commission

April 17, 2009

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Robert J. Telfer, III, Esquire  
Messer, Caparello & Self, P.A.  
2618 Centennial Place  
Tallahassee, Florida 32308

**Re: U.S. District Court Case No. 4:08-cv-509-RS/WCS – dPi Teleconnect, L.L.C. vs. Florida Public Service Commission, et al., and BellSouth Telecommunications, Inc. d/b/a AT&T Florida (Docket No. 050863-TP)**

Dear Mr. Telfer:

Enclosed is the Index to the record on appeal regarding the above-referenced docket. Please review this index for content of the record.

If you have any questions regarding this Index, please feel free to contact me. The record will be filed in the U.S. District Court, Northern District of Florida, on or before May 1, 2009.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Cole".

Ann Cole  
Commission Clerk

AC:mhl  
Enclosure

cc: Norman H. Horton, Esquire  
Christopher Malish, Esquire  
Manuel A. Gurdian, Esquire  
E. Earl Edenfield, Jr., Esquire  
Tracy W. Hatch, Esquire  
Samantha Cibula, Office of the General Counsel  
Rosanne Gervasi, Office of the General Counsel

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

dPi TELECONNECT, L.L.C.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
FLORIDA PUBLIC SERVICE COMMISSION, ETC,	)	4:08-cv-509-RS/WCS
ET AL.,	)	
	)	
and	)	
	)	
BELLSOUTH TELECOMMUNICATIONS, INC.	)	
d/b/a AT&T FLORIDA,	)	
	)	
Defendants.	)	
<hr/>		

**RECORD ON APPEAL IN THE MATTER OF:**

Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc.  
for dispute arising under interconnection agreement

PSC DOCKET NO. 050863-TP

Norman H. Horton, Jr., Esquire  
Robert J. Telfer, III, Esquire  
Messer, Caparello & Self, P.A.  
2618 Centennial Place  
Tallahassee, Florida 32308

Rosanne Gervasi, Esquire  
Samantha Cibula, Esquire  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Christopher Malish, Esquire  
Foster Malish & Cowan, L.L.P.  
1403 West Sixth Street  
Austin, Texas 78703

E. Earl Edenfield, Jr., Esquire  
Tracy W. Hatch, Esquire  
Manuel A. Gurdian, Esquire  
c/o Gregory R. Follensbee  
AT&T Florida  
150 South Monroe Street, Suite 400  
Tallahassee, Florida 32301

ATTORNEYS FOR PLAINTIFF

ATTORNEYS FOR DEFENDANTS

**I N D E X (BY DATE)**

**PSC DOCKET NO. 050863-TP**

**Volume 1**

<u>Date</u>	<u>Page</u>
11/10/05 dPi Teleconnect, L.L.C.'s ("dPi") original complaint.....	1
12/06/05 BellSouth Telecommunications, Inc.'s ("BellSouth") response to dPi's complaint .....	11
01/23/06 dPi and BellSouth's joint motion for abatement .....	17
03/08/06 Order PSC-06-0185-PCO-TP granting joint motion for abatement.....	22
11/01/06 Letter dated October 30, 2006, from Christopher Malish/dPi to Bayó/Florida Public Service Commission ("Commission") with attached complaint and request For declaratory and injunctive relief filed October 20, 2006, in the U.S. District Court, Western District of North Carolina, Charlotte Division and requesting that no action be taken until final decision is rendered in the appeal.....	24
11/06/06 BellSouth's response in opposition and motion to lift stay and to establish Procedural schedule.....	34
01/04/07 Order PSC-07-0015-PCO-TP granting motion to lift stay.....	58
02/05/07 Letter dated February 5, 2007, from Andrew D. Shore/BellSouth to Commissioner Arriaga in response to Order PSC-07-0015-PCO-TP .....	61
02/06/07 Letter dated February 5, 2007, from Malish/dPi to Commissioner Arriaga providing response to request for memorandum on consequence of case in North Carolina .....	65
04/13/07 Order PSC-07-0322-PCO-TP establishing procedure.....	69
05/11/07 Joint motion for continuance of hearing and suspension of prehearing deadlines, on behalf of dPi and BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") and suspension of prehearing deadlines.....	80
06/04/07 Letter dated June 4, 2007, from Manuel A. Gurdian/AT&T Florida to Chairman Edgar/Commission requesting reestablishment of prehearing deadlines, including testimony and discovery timeframes, and a new hearing date .....	84

06/13/07	Letter dated June 13, 2007, from Manuel A. Gurdian/AT&T Florida to Ann Cole/Commission withdrawing joint motion for continuance and requesting new order establishing procedures .....	87
07/02/07	Docket correspondence of Parties and Interested Persons .....	90
07/09/07	Order PSC-07-0571-PCO-TP modifying procedure .....	103
07/20/07	dPi's motion for continuance .....	106
07/23/07	dPi's direct testimony of Brian Bolinger.....	112
07/23/07	dPi's direct testimony of Steve Watson .....	119
07/23/07	AT&T Florida's response in opposition to motion for continuance .....	126
07/23/07	AT&T Florida's notice of intent to request specified confidential classification .....	132
07/23/07	AT&T Florida's <u>declassified</u> confidential information contained in Exhibit No. PAT-3 to Pamela Tipton's direct testimony .....	137

**Volume 2**

07/23/07	AT&T Florida's <u>redacted</u> direct testimony of Pam Tipton .....	186
07/26/07	dPi's motion for leave to file amended testimony.....	227
07/26/07	dPi's direct testimony of Steve Watson .....	231
07/26/07	dPi's direct testimony of Brian Bolinger.....	238
08/09/07	AT&T Florida's notice of intent to request specified confidential classification .....	243
08/09/07	AT&T Florida's request for specified confidential classification.....	248
08/09/07	AT&T Florida's <u>declassified</u> confidential Exhibit No. PAT-3 to direct testimony of Pam Tipton .....	258
08/09/07	AT&T Florida's <u>redacted</u> version of Exhibit No. PAT-3 to direct testimony of Pam Tipton .....	307
08/20/07	dPi's rebuttal testimony of Brian Bolinger .....	356
08/20/07	dPi's rebuttal testimony of Steve Watson and Exhibit No. 1 .....	361

**Volume 3**

08/20/07 AT&T Florida’s rebuttal testimony of Pam Tipton and Exhibit No. PAT-5 .....374

08/20/07 AT&T Florida’s notice of intent to request for specified confidential classification .....409

08/20/07 AT&T Florida’s declassified confidential response to staff’s first set of production of documents (Nos. 3 and 6) .....414

08/24/07 AT&T Florida’s motion to strike dPi’s rebuttal testimony .....451

08/27/07 Notice of Commission hearing and prehearing .....467

08/27/07 dPi’s notice of service of responses to staff’s first request for production of documents (Nos. 1-15) .....470

08/27/07 dPi’s notice of service of responses to staff’s first set of interrogatories (Nos. 1-9) .....473

08/28/07 AT&T Florida’s notice of filing corrected attachment to motion to strike, previously filed August 24, 2007 .....476

08/30/08 Order PSC-07-0712-PCO-TP denying motion for continuance .....486

08/30/07 AT&T Florida’s request for specified confidential classification.....488

08/30/07 AT&T Florida’s redacted responses and objections to dPi’s first request for information, Nos. 1-3, 1-16, 1-22, and 1-17. [CLK note: Document part of Hearing Exhibit Nos. 12 and 13.] .....499

09/04/07 Commission staff’s prehearing statement .....518

09/04/07 AT&T Florida’s prehearing statement .....521

09/04/07 dPi’s prehearing statement .....529

09/05/07 dPi’s motion for extension of time to respond to motion to strike.....537

09/07/07 AT&T Florida’s response in opposition to dPi’s motion for extension of time .....546

09/10/07 AT&T Florida’s request for specified confidential classification.....552

**Volume 4**

09/10/07 AT&T Florida’s declassified confidential responses to staff’s first request for production of documents (Nos. 3 and 6) .....562

09/10/07 AT&T Florida’s redacted confidential responses to staff’s first request for production of documents (Nos. 3 and 6) .....600

09/13/07 dPi’s motion to compel .....623

09/17/07 dPi’s motion for leave to file amended testimony.....646

09/17/07 dPi’s first amended direct testimony of Brian Bolinger.....650

09/17/07 dPi’s first amended rebuttal testimony of Brian Bolinger.....656

09/17/07 dPi’s first amended rebuttal testimony of Steve Watson .....660

09/17/07 dPi’s consolidated exhibit list .....669

09/17/07 AT&T Florida’s motion to compel .....695

09/17/07 AT&T Florida’s response in opposition to dPi’s motion to compel.....705

09/17/07 AT&T Florida’s motion to compel .....713

09/17/07 dPi’s motion to strike testimony of Pam Tipton .....747

**Volume 5**

09/19/07 Transcript of prehearing conference held September 18, 2007, in Tallahassee, Florida.....752

09/19/07 AT&T Florida’s notice of intent to request specified confidential classification .....839

09/21/07 dPi’s response to AT&T Florida’s motion to compel .....844

09/21/07 AT&T Florida’s response in opposition to dPi’s motion to strike testimony of Pam Tipton .....850

09/21/07 dPi’s reply to AT&T Florida’s response to motion to compel.....860

09/25/07 AT&T Florida’s notice of withdrawal of requests for confidentiality .....865

09/25/07 AT&T Florida’s supplemental rebuttal testimony of Pam Tipton.....870

09/26/07	dPi's motion for continuance .....	876
09/26/07	dPi's request for reconsideration of preliminary decision on dPi's motion to compel .....	881
09/26/07	dPi's notice of service of first amended response to AT&T's interrogatories .....	885
09/26/07	dPi's notice of service of first amended response to AT&T's requests for admission .....	888
09/26/07	AT&T Florida's notice of intent to request specified confidential classification .....	891
09/27/07	Prehearing Order PSC-07-0787-PHO-TP .....	896
09/27/07	Order PSC-07-0788-PCO-TP denying AT&T Florida's motion to strike and denying dPi's motion for extension of time to respond to motion to strike .....	908
09/27/07	AT&T Florida's response in opposition to dPi's motion for continuance .....	913
09/27/07	Order PSC-07-0791-PCO-TP denying motion for continuance .....	921
09/28/07	AT&T Florida and dPi's emergency joint motion for continuance of October 1, 2007, hearing .....	923
09/28/07	AT&T Florida's request for specified confidential classification.....	928

**Volume 6**

09/28/07	AT&T Florida's <u>redacted</u> response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....	938
----------	---	-----

**Volume 7**

09/28/07	[Continuation of] AT&T Florida's <u>redacted</u> response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....	1,138
----------	---	-------

**Volume 8**

09/28/07	[Continuation of] AT&T Florida's <u>redacted</u> response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....	1,338
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**Volume 9**

09/28/07 [Continuation of] AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....1,538

**Volume 10**

09/28/07 [Continuation of] AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....1,738

**Volume 11**

09/28/07 [Continuation of] AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....1,938

**Volume 12**

09/28/07 [Continuation of] AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....2,138

**Volume 13**

09/28/07 [Continuation of] AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....2,338

**Volume 14**

09/28/07 [Continuation of] AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....2,538

**Volume 15**

09/28/07 [Continuation of] AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 1 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....2,738

09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....2,871

**Volume 16**

09/28/07 [Continuation of] 09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2)  
[CLK note: Document part of Hearing Exhibit No. 6.] .....2,938

**Volume 17**

09/28/07 [Continuation of] 09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2)  
[CLK note: Document part of Hearing Exhibit No. 6.] .....3,138

**Volume 18**

09/28/07 [Continuation of] 09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2)  
[CLK note: Document part of Hearing Exhibit No. 6.] .....3,338

**Volume 19**

09/28/07 [Continuation of] 09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2)  
[CLK note: Document part of Hearing Exhibit No. 6.] .....3,538

**Volume 20**

09/28/07 [Continuation of] 09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2)  
[CLK note: Document part of Hearing Exhibit No. 6.] .....3,738

**Volume 21**

09/28/07 [Continuation of] 09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2)  
[CLK note: Document part of Hearing Exhibit No. 6.] .....3,938

**Volume 22**

09/28/07 [Continuation of] 09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2)  
[CLK note: Document part of Hearing Exhibit No. 6.] .....4,138

**Volume 23**

09/28/07 [Continuation of] 09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....4,338

**Volume 24**

09/28/07 [Continuation of] 09/28/07 AT&T Florida's redacted response to staff's second request for production of documents, No. 10 (Part 2 of 2) [CLK note: Document part of Hearing Exhibit No. 6.] .....4,538

09/28/07 AT&T Florida's request for specified confidential classification.....4,712

**Volume 25**

09/28/07 AT&T Florida's redacted response to dPi's request for information, Nos. 1-19, as required by ruling on dPi's motion to compel, included in prehearing order. [Clerk note: Document part of Hearing Exhibit No. 13.] ..... 4,722

**Volume 26**

09/28/07 [Continuation of] AT&T Florida's redacted response to dPi's request for information, Nos. 1-19, as required by ruling on dPi's motion to compel, included in prehearing order. [Clerk note: Document part of Hearing Exhibit No. 13.] ..... 4,922

**Volume 27**

09/28/07 [Continuation of] AT&T Florida's redacted response to dPi's request for information, Nos. 1-19, as required by ruling on dPi's motion to compel, included in prehearing order. [Clerk note: Document part of Hearing Exhibit No. 13.] ..... 5,122

**Volume 28**

09/28/07 [Continuation of] AT&T Florida's redacted response to dPi's request for information, Nos. 1-19, as required by ruling on dPi's motion to compel, included in prehearing order. [Clerk note: Document part of Hearing Exhibit No. 13.] ..... 5,322

10/03/07 AT&T Florida's response in opposition to request for reconsideration of preliminary decision on dPi's motion to compel .....5,407

10/10/07	Order PSC-07-0814-PCO-TP granting emergency joint motion for continuance and second order modifying procedure.....	5,414
10/12/07	Order PSC-07-0820-PCO-TP denying dPi's motion to strike testimony of Pam Tipton .....	5,417
11/01/07	AT&T Florida's report on the status of settlement negotiations.....	5,421
11/01/07	dPi's status report regarding settlement negotiations.....	5,427
11/05/07	Order PSC-07-0893-CFO-TP granting AT&T Florida's request for specified confidential classification of Document No. 07864-07 (Cross-reference Document No. 07025-07) .....	5,430
11/05/07	Order PSC-07-0894-CFO-TP granting AT&T Florida's request for specified confidential classification of Document No. 08943-07 (Cross-reference Document No. 08866-07) .....	5,435
11/05/07	Order PSC-07-0895-CFO-TP granting AT&T Florida's request for specified confidential classification of Document No. 08633-07 (Cross-reference Document No. 08939-07) .....	5,440
11/09/07	AT&T Florida's notice of intent to request specified confidential classification .....	5,445
11/21/07	AT&T Florida's request for specified confidential classification.....	5,450
11/21/07	AT&T Florida's <u>redacted</u> supplemental response to dPi's request for information, Nos. 1-19 .....	5,460

**Volume 29**

11/21/07	[Continuation of] AT&T Florida's <u>redacted</u> supplemental response to dPi's request for information, Nos. 1-19 .....	5,522
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**Volume 30**

11/21/07	[Continuation of] AT&T Florida's <u>redacted</u> supplemental response to dPi's request for information, Nos. 1-19 .....	5,722
11/27/07	AT&T Florida's response and objection to dPi's second set of requests for information .....	5,865
11/30/07	Third Order PSC-07-0959-PCO-TP modifying procedure .....	5,872

01/03/08	Order PSC-08-0013-CFO-TP granting AT&T Florida’s request for specified confidential classification of Document No. 10483-07 (Cross-reference Document No. 10226-07) .....	5,874
01/14/08	dPi’s motion for additional discovery .....	5,879
01/18/08	AT&T Florida’s response in objection to dPi’s motion for additional discovery .....	5,886

**Volume 31**

01/23/08	dPi’s motion to modify procedural schedule/move hearing date .....	5,940
02/08/08	Notice that dPi’s motion to modify procedural schedule/move hearing date is unopposed .....	5,950
02/08/08	dPi’s reply to AT&T Florida’s objection to additional discovery .....	5,953
02/26/08	Order PSC-08-0122-PCO-TP denying additional discovery and fourth order modifying procedure .....	5,959
03/05/08	Notice of hearing for publication in March 14, 2008, Florida Administrative Weekly.....	5,963
03/05/08	Memorandum dated March 5, 2008, from Trueblood/Commission to Commission/Cole with attached listed correspondence for docket file .....	5,965
03/06/08	Memorandum dated March 6, 2008, from Trueblood/Commission to Commission/Cole with attached listed correspondence for docket file .....	5,976
03/07/08	dPi’s motion for leave to file supplemental testimony and additional direct testimony .....	5,980
03/07/08	dPi’s <u>redacted</u> direct testimony of Steven Tepera with attached affidavit of Steven Tepera explaining the methodology of calculations for Exhibit No. 6 to dPi’s direct testimony and Exhibit Nos. 7(A) through 7(E) .....	5,984
03/07/08	dPi’s supplemental testimony of Brian Bolinger and Exhibit No. 8 .....	6,034
03/14/08	AT&T Florida’s response in opposition to dPi’s motion for leave to file supplemental testimony and additional direct testimony .....	6,108
03/14/08	Amended certificate of service to AT&T Florida’s response in opposition to dPi’s motion for leave to file supplemental testimony and additional direct testimony .....	6,123

03/17/08 Notice of filing corrected Page No. 6 to AT&T Florida's response in opposition to dPi's motion for leave to file supplemental testimony and additional direct testimony .....6,126

03/28/08 Order PSC-08-0209-PCO-TP denying motion for leave to file supplemental testimony and additional direct testimony.....6,132

**Volume 32**

03/31/08 dPi's motion for reconsideration of a ruling by prehearing officer.....6,136

03/31/08 dPi's request for oral argument on motion for reconsideration of a ruling by prehearing officer .....6,182

04/02/08 AT&T Florida's response in opposition to dPi's request for oral argument on motion for reconsideration of a ruling by prehearing officer .....6,186

04/02/08 AT&T Florida's response in opposition to dPi's motion for reconsideration of a ruling by prehearing officer.....6,191

04/30/08 AT&T Florida's post-hearing brief .....6,205

04/30/08 dPi's post-hearing statement.....6,228

05/02/08 AT&T Florida's motion to strike appendices to dPi's post-hearing brief.....6,257

05/02/08 AT&T Florida's motion to strike appendices to dPi's post-hearing brief (corrected version) .....6,263

05/09/08 dPi's response to BellSouth's [AT&T Florida] motion to strike dPi's post-hearing statement .....6,269

07/16/08 Order PSC-08-0457-PCO-TP granting motion to strike .....6,273

07/21/08 AT&T Florida's notice of filing with attached Order denying dPi's November 19, 2007, motion to reconsider in Docket No. P-55, Sub 1577, before the State of North Carolina Utilities Commission.....6,276

08/07/08 Memorandum dated August 7, 2008, from Lee Eng Tan and Frank Trueblood/Commission to Ann Cole/Commission providing staff recommendation for August 19, 2008, agenda conference.....6,289

09/04/08 Commission vote sheet, Item No. 29, from September 4, 2008, agenda conference .....6,306

09/10/08	Transcript of agenda conference, Item No. 29, held September 4, 2008, in Tallahassee, Florida.....	6,308
09/16/08	Final Order PSC-08-0598-FOF-TP .....	6,311
10/16/08	dPi's notice of administrative appeal .....	6,323

**Attachment One**

04/14/08	Transcript of hearing held April 3, 2008, Volume 1, pages 1 through 149 (reference court reporter's original page numbers in this volume)
04/14/08	Transcript of hearing held April 3, 2008, Volume 2, pages 150 through 342 (reference court reporter's original page numbers in this volume)

**Attachment Two**

04/07/08	Letter dated April 7, 2008, from Norman H. Horton, Jr./dPi to Jane Faurot/Commission with enclosed late-filed Hearing Exhibit Nos. 28, 29, 31, and 32 to the April 3, 2007, hearing record
04/08/08	Letter dated April 7, 2008, from Manuel A. Gurdian/AT&T Florida to Ann Cole/Commission with attached late-filed Hearing Exhibit No. 30
04/14/08	Hearing Exhibit Nos. 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32. [Clerk note: Confidential Hearing Exhibit Nos. 6 and 13 are in Attachment Three.]

**Attachment Three**

08/09/07	AT&T Florida's <u>confidential</u> responses and objections to dPi's first request for information, Nos. 1-3, 1-16, 1-22 and 1-17, which contain confidential business information. [CLK note: Document part of Hearing Exhibit No. 13.]
08/30/07	AT&T Florida's <u>confidential</u> responses and objections to dPi's first request for information, Nos. 1-3, 1-16, 1-22, and 1-17. [CLK note: Document part of Hearing Exhibit Nos. 12 and 13.]
09/20/07	AT&T Florida's <u>confidential</u> response to staff's second request for production of documents, No. 10. [Clerk note: Document part of Hearing Exhibit No. 6.]

- 09/26/07 AT&T Florida's confidential response to dPi's first request for information, Nos. 1-19, in compliance with Order of Prehearing Officer [CLK note: Document part of Hearing Exhibit No. 13.]
- 09/28/07 AT&T Florida's confidential response to staff's second request for production of documents, No. 10. [Clerk note: Document part of Hearing Exhibit No. 6.]
- 09/28/07 AT&T Florida's confidential response to dPi's request for information, Nos. 1-19, as required by ruling on dPi's motion to compel, included in prehearing order. [Clerk note: Document part of Hearing Exhibit No. 13.]
- 11/09/07 AT&T Florida's confidential supplemental response to dPi's first request for information, Nos. 1-19
- 11/21/07 AT&T Florida's confidential supplemental response to dPi's request for information, Nos. 1-19
- 03/07/08 dPi's confidential Exhibit No. 7C to direct testimony of Steven Tepera

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

STATE OF FLORIDA



OFFICE OF COMMISSION CLERK  
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# Public Service Commission

November 6, 2008

FPSC, CLK - CORRESPONDENCE  
✓ Administrative Parties Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

Thomas D. Hall, Clerk  
Florida Supreme Court  
500 South Duval Street  
Tallahassee, Florida 32399-1927

**Re: dPi Teleconnect, L.L.C. vs. Florida Public Service Commission, et al.**  
**Supreme Court Case No. SC08-2022 - PSC Docket No. 050863-TP**

Dear Mr. Hall:

Enclosed please find a certified copy of an Amended Notice of Appeal, which was filed with the Public Service Commission on November 5, 2008, along with its attachment, Order No. PSC-08-0598-FOF-TP. This amended appeal was filed on behalf of dPi Teleconnect, L.L.C.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Ann Cole".

Ann Cole  
Commission Clerk

AC:mhmc  
Enclosure

cc: E. Gary Early, Esquire  
Norman H. Horton, Jr., Esquire  
Chris Malish, Esquire  
Manuel A. Gurdian, Esquire  
J. Phillip Carver, Esquire  
Samantha Cibula, Esquire

IN THE SUPREME COURT OF FLORIDA

CASE NO.: SC08-2022

L.T. No.: Docket No. 050863-TP

dPi Teleconnect, L.L.C.

Appellant,

vs.

I CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL DOCUMENT THAT WAS FILED WITH THE FLORIDA PUBLIC SERVICE COMMISSION BY: Ann Cole ANN COLE, COMMISSION CLERK (or Office of Commission Clerk designee)

Florida Public Service Commission; Matthew M. Carter II, *In his official capacity as Chairman of the Florida Public Service Commission;* and Lisa Polak Edgar, Katrina J. McMurrin, Nancy Argenziano, and Nathan A. Skop *in their official capacities as Commissioners of the Florida Public Service Commission,*

ECR \_\_\_\_\_ GCL \_\_\_\_\_ OPC \_\_\_\_\_ RCP \_\_\_\_\_ SSC \_\_\_\_\_ SGA \_\_\_\_\_ ADM \_\_\_\_\_ CLK McLean

Appellees.

RECEIVED--FPSC 08 NOV -5 PM 2:02 COMMISSION CLERK

In re: Complaint by dPi Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under teleconnection agreement.

AMENDED NOTICE OF APPEAL

AMENDED NOTICE IS GIVEN that dPi Teleconnect, L.L.C., ("dPi"), Appellant, pursuant to Rule 9.030(a)(1)(B)(ii), Florida Rules of Appellate Procedure and Section 364.381, Florida Statutes, appeal to the Florida Supreme Court the Florida Public Service Commission's ("Commission") Order No. PSC-08-0598-FOF-TP, rendered, September 16, 2008, in Docket 050863-TP, In re: Complaint by DPI-Teleconnect, L.L.C. Against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement. This is a final order

DOCUMENT NUMBER-DATE

10390 NOV-5 08

FPSC-COMMISSION CLERK

disposing of a dispute filed by dPi against AT&T. A copy of the order is attached as Exhibit A.

Respectfully submitted,



Norman H. Horton, Jr.  
Florida Bar No. 156386  
E. Gary Early  
Florida Bar No. 325147  
Robert J. Telfer III  
Florida Bar No. 0128694  
Messer, Caparello & Self, P.A.  
P.O. Box 15579  
Tallahassee, Florida 32317  
(850) 222-0720 (voice)  
(850) 224-4359 (facsimile)

Counsel to dPi Teleconnect, Inc.

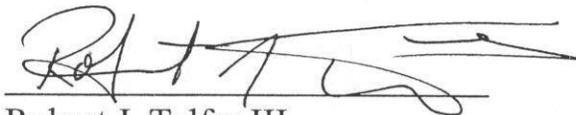
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by U.S. Mail this 5<sup>th</sup> day of November, 2008.

Lee Eng Tan, Esq.  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

J. Phillip Carver, Sr. Attorney  
AT&T Southeast  
675 West Peachtree Street, Suite 4300  
Atlanta, Georgia 30375

Manuel A. Gurdian, Attorney  
c/o Mr. Gregory Follensbee  
AT&T Florida Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32303-1556



Robert J. Telfer III

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by DPI-Teleconnect, L.L.C.  
against BellSouth Telecommunications, Inc.  
for dispute arising under interconnection  
agreement.

DOCKET NO. 050863-TP  
ORDER NO. PSC-08-0598-FOF-TP  
ISSUED: September 16, 2008

The following Commissioners participated in the disposition of this matter:

KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

FINAL ORDER

BY THE COMMISSION:

**I. Case Background**

On November 10, 2005, dPi-Teleconnect, L.L.C. (dPi) filed a complaint against BellSouth Telecommunications, Inc. n/k/a AT&T Florida (AT&T) seeking resolution for a dispute arising under its interconnection agreement. On December 6, 2005, AT&T filed a response to dPi's complaint stating that dPi is not entitled to additional credits from AT&T as a result of dPi reselling AT&T services subject to promotional credits.

An administrative hearing was held on April 3, 2008. Post-hearing briefs were filed on April 30, 2008. On May 2, 2008 AT&T filed a Motion to Strike Appendices to dPi's post-hearing brief, which contained documents whose admission into the record had previously been denied by this Commission. On July 16, 2008, Order No. PSC-08-0457-PCO-TP was issued granting AT&T's Motion to Strike. We are vested with jurisdiction over this matter pursuant to Section 364.012, Florida Statutes, and Section 252 of the 1996 Federal Telecommunications Act.

**II. Analysis**

AT&T Florida line connection charge waiver promotion credits

The crux of this issue centers around the question of whether dPi is entitled to credits for the Line Connection Charge Waiver (LCCW) when dPi submits orders with free blocks. The language in AT&T's General Subscriber Service Tariff (GSST) states that the line connection charge will be waived for reacquisition and win-over residential customers who currently are not using AT&T for local service and who purchase AT&T Complete Choice, AT&T PreferredPack service, or basic service and two (2) features. dPi contends that the qualifications are met when dPi submits orders for reacquisition or win-over customers that include basic service and a combination of two free TouchStar service blocks, i.e., BCR (Denial of Per Activation of Call

EXHIBIT "A"

DOCUMENT NUMBER-DATE

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Return), BRD (Denial of Per Activation of Repeat Dialing), and HBG (Denial of Per Activation of Call Tracing). AT&T asserts that the qualifications are met when dPi submits orders for the purchase of basic service and two TouchStar Service features that have a monthly or per usage fee.

dPi

dPi witness Watson devotes the majority of his testimony to explaining his role as the billing agent for dPi's promotional credits in 2004. The witness explains the methodology that AT&T had in place for processing credit requests from dPi and other CLECs, and argues why AT&T should be required to pay dPi the credits sought for the Line Connection Charge Waiver. dPi witness Bolinger's testimony primarily reiterates arguments made by witness Watson.

Witness Watson asserts that his company, Lost Key Telecom, was hired by dPi to apply for credits that dPi was entitled to receive from AT&T for promotions being offered by AT&T. The witness states that as dPi's billing and collections agent in the promotional credit process, his company reviewed data provided by dPi for resold AT&T services and determined for which promotions dPi was entitled to receive promotional credits. He asserts that once the promotions had been identified, Lost Key Telecom would submit promotional credit requests to AT&T on dPi's behalf.

dPi witness Watson testifies that when he first started applying for credits for CLECs in 2003, the process was long and the staff at AT&T consisted of one person, who was subsequently replaced by another person in the second half of 2005. The witness asserts that the staff at AT&T who were responsible for processing the promotional credits were helpful, but it was clear that when he first started talking to them about the credit process that AT&T was not receiving many requests from CLECs. He states that AT&T's staff was unable to answer many of his questions regarding promotions, and when they did answer questions the response was often later reversed. The witness opines that at times it seemed that policies were made on the spot, on an ad hoc basis.

Witness Watson asserts that AT&T Florida has offered a promotion called the Line Connection Charge Waiver that essentially waives the line connection charge for customers who switch to AT&T and purchase basic service and two TouchStar features. He states that in August 2004 Lost Key Telecom started submitting credit requests for dPi and other clients that consisted of new basic service and two or more TouchStar features. Witness Watson states that AT&T paid all the claims that he submitted for Budget Phone, another CLEC that had a claim twice the size of dPi's. He also notes that AT&T paid Teleconnect in full for promotional credits for claims that were very similar to dPi's.

Witness Watson testifies that from September 2004 to April 2005 AT&T stopped paying dPi's promotional credit requests, but did not give a reason for not paying the credits; dPi was often promised that the payments were forthcoming. The witness states that in April 2005 AT&T informed dPi that credits would not be paid because dPi's orders did not include the purchase of basic service and two features. He states that dPi was told that the BCR, BRD, and

HBG blocks that were included in dPi's orders did not meet the qualifications because they were provided by AT&T at no additional charge. The dPi witness notes that in basically every instance where AT&T denied credit for the line connection charge waiver, dPi orders included basic service and at least two TouchStar features, such as the BCR and BRD blocks.<sup>1</sup> Witness Watson contends that there is no dispute that the BCR and BRD blocks are TouchStar features, and that AT&T Florida previously paid credits to other carriers with service orders consisting of basic service and TouchStar blocks.

According to witness Watson, AT&T initially agreed that orders consisting of basic service and the TouchStar blocks, BRD and BCR and HBG, were valid because for a while it paid credits to other CLECs for orders identical to those of dPi. The witness opines that once AT&T realized that the majority of dPi's orders would qualify for the promotion because the typical order for a dPi customer with poor credit includes at least two blocks, AT&T changed its interpretation of the promotion to keep from having to pay credits to dPi and other CLECs for the line connection charge waiver for a promotion for which most of AT&T customers with good credit would not qualify. dPi witness Bolinger asserts that Lost Key developed an automated system for processing promotional credits that was evaluated and approved by AT&T, prior to large batches of orders being submitted for credits. The witness asserts that AT&T approved the test orders for the LCCW credits that included basic service and blocking features.

#### AT&T

The majority of AT&T witness Tipton's testimony addresses the issues raised about the Line Connection Charge Waiver and explains why dPi is not entitled to the credits for the promotion when it submits orders consisting of basic service and two or more of the free TouchStar Service blocks, such as BCR, BRD, or HBG.

Witness Tipton asserts that AT&T offers its retail promotions, such as the Line Connection Charge Waiver, to dPi by granting credits for the value of the promotion when dPi meets the same criteria that an AT&T customer must meet to qualify for the promotion. According to witness Tipton, dPi is requesting credits for the promotion, in some instances, for end users who do not meet the eligibility criteria for the promotion. She states that the LCCW promotion requires an end user to purchase basic service and two features. The witness also disputes dPi's contention that the free blocks that dPi includes on most of its end user orders qualify as "purchased features" even though neither dPi nor its end users pay anything for these features.

Witness Tipton testifies that AT&T does not seek to avoid payment of promotional credits to dPi for claims that meet the qualifying criteria, but AT&T does seek to deny payment of claims to dPi and other CLECs that do not meet the conditions stated in the interconnection

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<sup>1</sup> AT&T contends that the TouchStar BCR, BRD, and HBG blocking features are not features at all. However, they are described in the TouchStar feature portion of AT&T's tariff, where they are listed with other features, and are specifically referred to as features. See EXH 17, an excerpt from the tariff. Furthermore, AT&T employees repeatedly referred to these features as features during communications between the parties; see EXH 21.

agreement for promotions. The witness asserts that by the April 2007 billing cycle AT&T had issued credits totaling \$83,000 to dPi's Florida end users. The witness states that the line connection charge waiver credit is paid when a request meets the eligibility criteria, and it is denied when a request does not. She cites the parties' interconnection agreement (Agreement) as the document that governs the issuance of promotional credits. The Agreement reads:

Where available for resale, promotions will be made available only to End Users who would have qualified for the promotion had it been provided by BellSouth directly.<sup>2</sup>

Witness Tipton asserts that the language in the agreement is clear, and dPi is only entitled to promotional credits when dPi's end users meet the same promotional criteria that AT&T retail end users must meet in order to qualify for the credit.

According to witness Tipton each month CLEC resellers submit credit request forms with accompanying spreadsheets for end user accounts which the CLECs claim qualify for promotional credits. Witness Tipton asserts that when requests are submitted by a CLEC, the CLEC has represented to AT&T that the CLEC's end users meet the criteria to qualify for the credit. She states that when AT&T first started processing promotional credits from CLECs, it assumed that the requests met the promotion's requirements listed in the tariff and the interconnection agreement between AT&T and the respective CLEC, and did not attempt to verify their eligibility. The witness asserts that in 2004 it appeared that some of the requests submitted by CLECs were not valid and ineligible for a promotional credit. As a result, AT&T started sampling the requests from CLECs in early 2005 to verify that the credit requests were valid and eligible for the promotion.

In witness Tipton's direct testimony she explains that the majority of dPi's claims are for the Line Connection Charge Waiver promotion, but there are actually three promotions at issue in the original complaint. Regarding the LCCW promotion, the witness asserts that the LCCW provides a credit of the applicable nonrecurring line connection charge (installation charge) when a customer purchases a basic local flat-rate residential line and two features. Witness Tipton explains that an AT&T retail end user qualifies for the LCCW if the end user is a customer whose service is currently with another carrier and the customer orders service as an AT&T "win-over," or reacquired customer. She asserts that the customer must also have purchased a minimum of basic service and a specified number of Custom Calling or TouchStar features. Witness Tipton testifies further that per the terms of the parties' Agreement, for dPi to qualify for a credit under the LCCW promotion, a dPi end user must likewise be a customer that is not a current dPi customer, has become a win-over or reacquired customer for dPi, and the customer must have purchased the specified number of Custom Calling or TouchStar features in accordance with the terms of the promotion.

Witness Tipton contends that the majority of the customer orders for which dPi requested credits under the LCCW promotion were denied by AT&T because the orders did not contain the

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<sup>2</sup> This language was included in the original ICA between dPi and AT&T Florida.

required number of purchased features. The AT&T witness states that many of dPi's end users did not purchase any features, and thus were not eligible for the credit because AT&T retail end users with similar orders are not eligible for the LCCW promotion. She asserts that some of dPi's requests were also denied because the request was a duplicate request. Witness Tipton testifies that prior to implementing its automated verification process in April 2006, AT&T performed a sample audit of the credit requests submitted by dPi. The witness states that a subsequent review of 100% of the promotional credit requests was conducted for requests that were submitted in Florida for the period January 2005 through December 2005 that were not included in the original sample. The witness asserts that the review that was performed on the remainder of the requests (1) confirms the outcome of the initial sample, (2) indicates that AT&T most likely overpaid credits to dPi, and (3) reflects that dPi's process for submitting requests lacked a method to ensure that only valid requests were submitted. Witness Tipton states that when AT&T verified 100% of the requests for credits that dPi submitted for the LCCW promotion for January 2005 to December 2005, it was determined that 84% of the requests did not meet the qualifications for the LCCW promotion. She notes that initially 82% of dPi's LCCW requests for this period were denied, which indicates that dPi was overpaid for the LCCW promotion during the period January 2005 to December 2005.

Based upon the results of the verification conducted by AT&T for requests that dPi submitted between January 2005 and December 2005, the AT&T witness believes that dPi systematically inflated claims by submitting duplicate claims for credit without applying the most basic verification. Witness Tipton testifies that dPi submitted requests for some promotions that did not meet the qualifications because existing customer accounts were submitted for promotions that were only available to new customers, and those same new customers were also submitted for promotions that only applied to existing customers. According to witness Tipton, a review conducted by AT&T of claims submitted by dPi indicates that requests for credit were made in the same month, for the same end user telephone number, for both the LCCW and the Secondary Service Charge Waiver (SCCW) promotion. The witness asserts that claims were submitted in this manner even though the LCCW promotion requires that the customer be a newly reacquired or win-over customer, while the SCCW promotion requires that the customer be an existing customer. Witness Tipton asserts that a random review performed by AT&T of the credit requests submitted for January 2005 reveals that dPi submitted requests for credit and attempted to "double-dip" by applying for the LCCW and the SCCW promotion using the same customer information. The witness states that AT&T has informed dPi on numerous occasions of the number of accounts that dPi has submitted that did not meet the eligibility criteria.

In her rebuttal testimony witness Tipton asserts that dPi witness Watson discusses at length the process that AT&T used to review CLEC requests for promotional credits, which is not at issue in this proceeding. Witness Tipton states that our Order<sup>3</sup> only identified two issues:

- (1) Is dPi entitled to credits for the AT&T Florida Line Connection Charge Waiver promotion when dPi orders free blocks on resale lines? and

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<sup>3</sup> Order No. PSC-07-0322-PCO-TP, issued April 13, 2007.

(2) Is dPi entitled to any other promotional resale credits from AT&T Florida?

Witness Tipton argues that even though dPi claims that AT&T has not granted dPi credits for valid requests for the LCCW promotion, in most cases dPi no longer submits such requests for credits. The witness also states that the majority of dPi's requests that were denied, were denied because it appears that most of dPi's orders were based on the assumption that nonchargeable calling blocks are features. Witness Tipton testifies that calling blocks enable end users to prevent the activation of certain features that have a per-usage charge. The witness believes that a review of AT&T's tariff illustrates the distinction between a feature and a call block by referring to the applicable Rates and Charges for TouchStar Services. She asserts that the blocking capability described as "Denial of Per Activation" in the GSST Tariff is available to a customer at no charge if the customer wants to ensure that certain chargeable features are not utilized.

Witness Tipton states that dPi does not purchase call blocks from AT&T, and dPi does not charge its end users for the call blocks because the blocks are not purchased features. The witness asserts that in the North Carolina proceeding on the same issue, dPi witness Bolinger stated that dPi places blocks on all of its end user lines to ensure that its customers do not incur per activation charges on their accounts because that is standard industry practice for prepaid customers.

In response to dPi witnesses Watson and Bolinger's testimony that accuses AT&T of crediting CLECs in an unfair manner in 2004, AT&T witness Tipton counters that these allegations are not true. She states that in August and September 2004, dPi witness Watson from Lost Key Telecom began submitting thousands of requests for promotional credits for several CLECs' clients, and while AT&T was trying to determine how best to process the voluminous number of requests, witness Watson contacted AT&T and requested that AT&T process the requests from Budget Phone as soon as possible. Witness Tipton asserts that witness Watson told her that his business had been severely damaged as a result of Hurricane Ivan and that he needed the credits processed quickly in order to continue his business operations. She states AT&T assumed that witness Watson's requests were valid, and AT&T processed almost 100% of the credits for Budget Phone. Witness Tipton asserts that after the requests were processed for Budget Phone, AT&T realized that Budget Phone and many of the other CLECs for whom Lost Key Telecom had submitted claims had received credit for promotions that did not meet the terms of the promotion, and AT&T immediately suspended granting credits to all CLECs for a time.

In AT&T witness Tipton's direct testimony she states that after AT&T verified 100% of the promotional credit requests that dPi submitted between January 2005 and December 2005 it was determined that dPi was overpaid by 2% for the 2005 LCCW promotional credit requests. In her rebuttal testimony witness Tipton testifies that after additional reviews were conducted by AT&T for 100% of the promotional credit requests submitted by dPi for the LCCW promotion for the period January through March 2006 and August through December 2004, it was also determined that dPi had been overpaid for the LCCW promotion. dPi was overpaid by 3% for the period January through March 2006, and by 19% for the period August 2004 through

December 2004. In her supplemental rebuttal testimony, the witness notes that neither Lost Key Telecom nor dPi assisted in the development of AT&T's process for approving promotional credits, and no small test batches of claims were ever submitted to AT&T for approval before AT&T was inundated with the requests from Lost Key Telecom.

At hearing, witness Tipton testified that it was not AT&T's practice to grant the LCCW promotion to its retail customers that requested basic service and free blocks, as dPi contends that the data in EXH 13 proves. The witness asserts that there are several reasons why AT&T might have waived the line connection charge for some of its retail customers but it was never waived because of the LCCW promotion when its customers only ordered basic service and free blocks. She states that the data in EXH 13 reflects that in some instances the line connection charge was waived for some of AT&T's retail customers, but it cannot be determined in many instances why the charge was waived. Witness Tipton asserts that based on the data in EXH 13 and the analysis of that data, it is impossible for dPi or AT&T to determine whether a particular retail customer received a waiver of the line connection charge pursuant to the LCCW promotion.

#### Decision

The treatment of promotions is addressed in the parties' Agreement entered into on February 28, 2003. The language states that promotions lasting more than 90 days will be provided to dPi end users who would have qualified for the promotion had it been provided by AT&T directly. AT&T acknowledges its obligation to offer the LCCW promotion to dPi and asserts that the promotion is offered to dPi when dPi's orders meet the conditions and qualifications of the promotion. AT&T testifies that all requests for credits by dPi have been granted for claims that met the qualifications. To the contrary, dPi contends that AT&T has not extended its promotional pricing for all orders that met the qualifications. dPi asserts that AT&T originally interpreted its tariff language the way dPi states that it should be interpreted, but changed its interpretation after it paid a substantial amount of credits to two CLECs with identical claims as dPi. dPi contends that AT&T changed its interpretation so that it would not have to pay the requested credits to dPi and other CLECs. In its brief, dPi claims that AT&T interpreted the qualifying language and awarded promotional credits for the LCCW promotion in a manner consistent with dPi's interpretation. AT&T witness Tipton counters that dPi's claims were not valid. Witness Tipton also asserts that the claims that were submitted by Lost Key Telecom on behalf of other CLECs, such as Budget Phone, that were paid in 2003 and 2004 were also invalid. These claims were inadvertently paid because AT&T did not independently verify them, instead assuming that they satisfied the promotion's requirements.

dPi argues that dPi is AT&T's customer and if dPi's customers order dPi's basic service and dPi places a combination of the BRD, BCR, or HBG blocks on the orders, the orders qualify for the line connection charge waiver. However, AT&T contends that dPi's customers or end users must purchase basic service and two TouchStar features to qualify for the promotion, just as AT&T's end users must do to qualify for the promotion. AT&T asserts that it does not provide the LCCW to its end users on orders consisting of basic service and a combination of the

free blocks, and thus dPi is not entitled to the waiver when it submits orders for its end users with basic service and a combination of the free blocks.

In its brief, dPi contends that its analysis of the data produced by AT&T in Exhibit 13 shows that AT&T retail customers with orders consisting of basic service and two of the blocks (BCR, BRD, or HBG) received waivers of the line connection charge. AT&T's witness Tipton acknowledges that some of AT&T's retail customers received waivers for the line connection charge for several reasons. She states that the data in EXH 13 reflect that in some instances the line connection charge was waived for some of AT&T's retail customers, but it cannot be determined in many instances why the charge was waived. Witness Tipton asserts that based on the data in EXH 13 and the analysis of that data, it is impossible for dPi or AT&T to determine whether a particular retail customer received a waiver of the line connection charge pursuant to the LCCW promotion. We agree that it cannot be confirmed that when the line connection charge was waived for some of AT&T's retail customers, it was waived pursuant to the LCCW promotion.

Although there is only one primary issue and the parties agree that certain terms and conditions must be met in order to qualify the promotional credit for the LCCW, they tend to disagree on the application and interpretation of the language regarding (1) purchased features, (2) end users, (3) the process for requesting credits, and (4) parity. As a result, most of the parties' arguments address secondary issues that they assert are relevant to the LCCW promotion. AT&T's GSST<sup>4</sup> describes the terms and conditions that must be met to qualify for the promotion. The language in the GSST states:

The line connection charge to reacquisition or win-over residential customers who currently are not using BellSouth for local service and who purchase BellSouth Complete Choice service, BellSouth PreferredPack service, or basic service and two (2) features will be waived.

In their Agreement AT&T and dPi have defined certain terms and conditions that must be met regarding parity in order to qualify for promotional offerings. The Online Merriam-Webster Dictionary defines parity as the quality or state of being equal or equivalent.<sup>5</sup> Accordingly, we find that parity is achieved in this case when AT&T's retail customers (end users) and dPi's retail customers (end users) are treated equally when it comes to requirements that must be met to qualify for the LCCW promotion. First, the Agreement defines "end user" in both the general terms and conditions section, and the section on Resale. The definition reads:

End User means the ultimate user of the Telecommunications Service.<sup>6</sup>

<sup>4</sup> Section A2.10.2(A) of AT&T Florida's General Subscriber Services Tariff that was in effect at the time the promotion credits were requested by dPi.

<sup>5</sup> The URL for this definition is <http://www.merriam-webster.com/dictionary>

<sup>6</sup> Negotiated Interconnection Agreement between dPi Teleconnect and BellSouth Telecommunications, Inc., dated March 11, 2003 and March 20, 2003, respectively.

We find the definition of end user is crucial in determining parity. We further find that "end user" refers to dPi's end users, not to dPi as dPi asserts. Second, the Agreement addresses parity on Page 4 of the General Terms and Conditions section. The language states:

When dPi purchases Telecommunication Services from BellSouth for the purpose of resale to End Users, such services shall be equal in quality, subject to the same conditions, and provided within the same provisioning time interval that BellSouth provides to its Affiliates, subsidiaries and End Users.<sup>7</sup>

We find that the above language supports AT&T's argument that while dPi is AT&T's customer, it is dPi's end users who are the recipient of the services, and therefore they must meet the same criteria that AT&T's end users must meet to qualify for the LCCW promotion. Third, the Agreement addresses the conditions under which services will be available for resale by dPi. That language is addressed in the Agreement in Attachment 1, which includes a page that states exclusions and limitations on services available for resale. Under the Exclusion and Limitations Section of the Resale portion of the ICA, on Page 16 of Attachment 1, Applicable Note 2 states:

Where available for resale, promotions will be made available only to End Users who would have qualified for the promotion had it been provided by BellSouth directly.<sup>8</sup>

In its brief, dPi argues that the BCR, BRD, and HBG are identified in the tariff as features and AT&T staff members have referred to them previously as features in communications with dPi. dPi further notes these blocks are features that have USOC codes listed in the rates and charges section of the tariff. Witness Tipton asserts that BCR, BRD, and HBG are listed under TouchStar Service but they are not TouchStar features and, more importantly, they are not purchased TouchStar features. In its brief, AT&T points out that dPi end users do not order the BCR, BRD, and HBG blocks that dPi places on their lines. We find it appropriate to agree with witness Tipton that the references made to the BCR, BRD, and HBG in footnotes in the GSST are ambiguous and somewhat confusing, but even if they are features, they are not purchased by dPi or dPi's end users. Pursuant to the language in the Agreement, we find that in order for dPi to qualify for the LCCW promotion, features must be purchased. Based upon the record evidence in this proceeding, we find that dPi's interpretation of the language in the tariff lacks merit and dPi also has not shown that its customers purchased the denial of activation blocks. We find that dPi is not entitled to any credits.

#### Promotional Resale Credits

##### dPi

dPi witnesses Bolinger and Watson did not present arguments for credits initially sought from AT&T for the SSCW and the TFFF promotions. Witness Bolinger did, however, state that

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<sup>7</sup> Id.

<sup>8</sup> Id. The wording of this footnote was included in the parties' original ICA, and this provision was applicable to all claims submitted on dPi's behalf in 2004 and 2005. During cross-examination AT&T's witness testified that dPi is not considered the end user in this footnote.

dPi has a number of promotion-related disputes but will only focus on the dispute about the LCCW promotion. Witness Watson also states that dPi has been denied credits for the SSCW and TFFF promotions.

During cross-examination, witness Watson testified that in January, February, March and April 2004, while employed by Teleconnect, he submitted credit requests similar to dPi's requests for the SSCW and the TFFF promotions that were paid by AT&T within 30 days. Witness Watson testifies that in the summer of 2004 he left Teleconnect and started his own business. He asserts that after starting his business, Lost Key Telecom, he met with AT&T staff regarding promotions that his company was going to submit for two of his clients, Budget Phone and dPi. He states that Budget Phone's claims were paid and dPi's claims were denied, without any explanation.

#### AT&T

Witness Tipton asserts that in some instances dPi requested credits that did not meet the eligibility criteria. Witness Tipton states that AT&T extends its promotional pricing to dPi when dPi submits claims that meet the qualifications for a promotion as stated in the GSST. The witness testifies that a dPi end user qualifies for the SSCW promotion when the end user requests to add or change features or service on his accounts. Witness Tipton asserts that the TFFF promotion only applies to reacquisition or win-over customers and AT&T and dPi end users must purchase basic local service plus two Custom Calling or TouchStar features to receive the credit during the 12-month period following the installation of the qualifying service.

Witness Tipton asserts that before AT&T implemented its automated verification process in April 2006, a sampling method was used to verify claims submitted for the period January 2005 through December 2005 for the SSCW promotion and TFFF promotion. The witness states that combined data from AT&T's reviews indicated that 87% of the credit requests that dPi submitted for the period January 2005 through December 2005 did not qualify for the SSCW promotion, and that AT&T had only denied 68% of these credits. Witness Tipton also testifies that the results from the combined review indicate that 19% of the credit requests that dPi submitted for the TFFF promotion did not meet the qualifications, but AT&T only denied 5% of the requests for that period. The witness states that in both instances dPi had been overpaid for these promotions. Witness Tipton asserts that a random review of credit requests submitted in January 2005 indicated that dPi submitted the same requests for both the SSCW and LCCW promotions, even though the qualifications are different for each promotion. The witness asserts that AT&T communicated its concerns to dPi regarding the number of accounts submitted that were invalid.

Witness Tipton asserts in her rebuttal testimony that dPi's witnesses did not provide any testimony to support dPi's contention that AT&T owes dPi credits for the SSCW and the TFFF promotions. The witness states that credit requests submitted by dPi and subsequently denied by AT&T, were denied because they did not meet the qualifications for the promotion. Witness Tipton testifies that before going to hearing in the North Carolina case dPi agreed to drop the SSCW promotion and the TFFF promotion because dPi felt the issue had been addressed

satisfactorily. The AT&T witness states that additional reviews have been completed that validates AT&T's claim that dPi is not entitled to any credit requests for the SSCW promotion and the TFFF promotion.

Decision

dPi did not address or provide a position whether it was entitled to any other promotional resale credits from AT&T Florida in its post-hearing brief. We further note that the Order Establishing Procedure, Order No. PSC-07-0322-PCO-TP, and the Order Modifying Procedure, Order No. PSC-07-0959-PCO-TP, provide that failure to submit a position on an established issue in a post-hearing brief, results in that party having waived the specific issue. Therefore, we find that dPi has waived the issue in its entirety. Accordingly, absent any evidence or arguments to the contrary, we find that dPi is not entitled to any other promotional credits from AT&T.

**III. Conclusion**

We find that the TouchStar Service blocks that dPi orders for its resale lines that are provided by AT&T free of charge are not "purchased" features that qualify for promotional credits. We find it appropriate that dPi is entitled to credits for the Line Connection Charge Waiver promotion only when a dPi reacquisition or win-over customer purchases basic service and two features. We further find that dPi is not entitled to any credits in the instant docket, nor is dPi entitled to any other promotional credits from AT&T.

This docket shall be closed after the time for filing an appeal has run.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that dPi is entitled to credits for the Line Connection Charge Waiver promotion only when a dPi reacquisition or win-over customer purchases basic service and two features. It is further

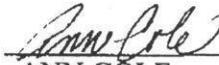
ORDERED that dPi is not entitled to any credits in the instant docket. It is further

ORDERED that dPi is not entitled to any other promotional credits from AT&T. It is further

ORDERED that this docket shall be closed after the time for filing an appeal has run.

ORDER NO. PSC-08-0598-FOF-TP  
DOCKET NO. 050863-TP  
PAGE 12

By ORDER of the Florida Public Service Commission this 16th day of September, 2008.

  
\_\_\_\_\_  
ANN COLE  
Commission Clerk

( S E A L )

TLT

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.



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**DATE:** October 17, 2008

**TO:** Ann Cole, Commission Clerk – PSC, Office of Commission Clerk  
Hong Wang, Management Review Specialist, Office of Commission Clerk  
Cecelia R. Diskerud, Deputy Clerk, Office of the General Counsel

**FROM:** Samantha M. Cibula, Attorney Supervisor, Office of the General Counsel *SMC/wt*  
Wanda Terrell, Administrative Assistant, Office of the General Counsel

**RE:** dPi Teleconnect, L.L.C. v. FPSC, Florida Supreme Court  
Florida Public Service Commission Docket No. 050863-TP

Please note that Rosanne Gervasi is handling the above appeal. The Notice of Administrative Appeal was filed on October 16, 2008. The case schedule is as follows:

<u>Date</u>	<u>Item</u>
From day of filing:	
<u>11/21/08</u>	Draft of Index of Record from CCA to Appeals Attorney.
<u>12/05/08</u>	Index of Record served on Parties.
<u>12/15/08</u>	Copy of Record to Appeals.
<u>12/25/08</u>	Appellant's Initial Brief Due.
<u>01/09/08</u>	Draft Commission Answer Brief Due.
<u>01/14/09</u>	Commission's Answer Brief Due.
<u>02/03/09</u>	Appellant's Reply Brief Due.
<u>02/03/09</u>	Appeal to be filed w/ COURT <i>SMC/wt</i>
SMC:wt	Record

COMMISSIONERS:  
MATTHEW M. CARTER II, CHAIRMAN  
LISA POLAK EDGAR  
KATRINA J. MCMURRIAN  
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NATHAN A. SKOP

STATE OF FLORIDA



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October 17, 2008

Thomas D. Hall, Clerk  
Florida Supreme Court  
500 South Duval Street  
Tallahassee, Florida 32399-1927

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THOMAS D. HALL  
OCT 17 2008  
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BY \_\_\_\_\_

Re: dPi Teleconnect, L.L.C. - PSC Docket No. 050863-TP

Dear Mr. Hall:

Enclosed please find a certified copy of a Notice of Administrative Appeal, which was filed with the Public Service Commission on October 16, 2008, along with its attachment, Order No. PSC-08-0598-FOF-TP. This appeal was filed on behalf of dPi Teleconnect, L.L.C.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "AC".

Ann Cole  
Commission Clerk

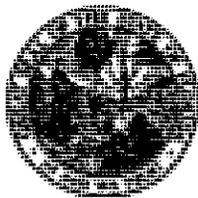
AC:mhmc  
Enclosure

cc: E. Gary Early, Esquire  
Norman H. Horton, Jr., Esquire  
Chris Malish, Esquire  
Manuel A. Gurdian, Esquire  
J. Phillip Carver, Esquire  
Samantha Cibula, Esquire

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Public Service Commission

October 17, 2008

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Florida Supreme Court  
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Re: dPi Teleconnect, L.L.C. - PSC Docket No. 050863-TP

Dear Mr. Hall:

Enclosed please find a certified copy of a Notice of Administrative Appeal, which was filed with the Public Service Commission on October 16, 2008, along with its attachment, Order No. PSC-08-0598-FOF-TP. This appeal was filed on behalf of dPi Teleconnect, L.L.C.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Ann Cole".

Ann Cole  
Commission Clerk

AC:mhmc  
Enclosure

cc: E. Gary Early, Esquire  
Norman H. Horton, Jr., Esquire  
Chris Malish, Esquire  
Manuel A. Gurdian, Esquire  
J. Phillip Carver, Esquire  
Samantha Cibula, Esquire

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

dPi Teleconnect, L.L.C.

Appellant

v.

Florida Public Service Commission,  
 Matthew M. Carter II, *in his official capacity as Chairman  
 of the Florida Public Service Commission*; and Lisa Polak  
 Edgar, Katrina J. McMurrin, Nancy Argenziano, and  
 Nathan A. Skop *in their official capacities as  
 Commissioners of the Florida Public Service Commission*

Appellees

In re:  
Complaint by DPI  
Teleconnect, L.L.C.  
against BellSouth  
Telecommunications, Inc.  
for dispute arising under  
interconnection agreement.  
 Docket No. 050863-TP

Filed: October 16, 2008

COMMISSION  
 CLERK

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**NOTICE OF ADMINISTRATIVE APPEAL**

NOTICE IS GIVEN that dPi Teleconnect, L.L.C., (“dPi”), Appellant, pursuant to Rule 9.030(a)(1)(B)(ii), Florida Rules of Appellate Procedure and Section 364.381, Florida Statutes, appeal to the Florida Supreme Court the Florida Public Service Commission’s (“Commission”) Order No. PSC-08-0598-FOF-TP, rendered, September 16, 2008, in Docket 050863-TP, In re: Complaint by DPI-Teleconnect, L.L.C. Against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement. This is a final order disposing of a dispute filed by dPi

against AT&T. A copy of the order is attached as Exhibit A.

COM \_\_\_\_\_  
 ECR \_\_\_\_\_  
 GCL \_\_\_\_\_  
 OPC \_\_\_\_\_  
 RCP \_\_\_\_\_  
 SSC \_\_\_\_\_  
 SGA \_\_\_\_\_  
 ADM \_\_\_\_\_  
 CLK McLean

**I CERTIFY THAT THIS IS A TRUE AND  
 CORRECT COPY OF THE ORIGINAL  
 DOCUMENT THAT WAS FILED WITH THE  
 FLORIDA PUBLIC SERVICE COMMISSION**  
 BY: Ann Cole  
**ANN COLE, COMMISSION CLERK**  
 (or Office of Commission Clerk designee)

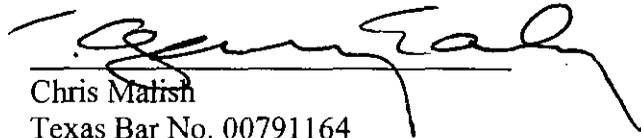
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②

Respectfully submitted,



Chris Malish  
Texas Bar No. 00791164  
Foster Malish & Cowan, LLP  
1403 West Sixth Street  
Austin, Texas 78703  
Phone: (512) 476-8591  
Fax: (512) 477-8657  
[chrismalish@fostermalish.com](mailto:chrismalish@fostermalish.com)

Attorney for dPi Teleconnect, Inc.

Norman H. Horton, Jr., Esq.  
Florida Bar No. 156386  
E. Gary Early  
Florida Bar No. 325147  
Messer, Caparello & Self, P.A.  
215 South Monroe Street, Suite 701  
Tallahassee, Florida 32301  
(850) 222-0720 (voice)  
(850) 224-4359 (facsimile)

Of Counsel to dPi Teleconnect, Inc.

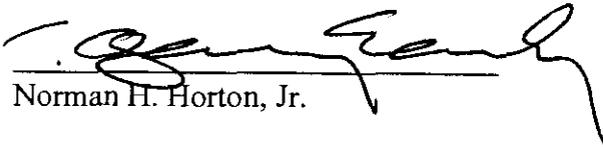
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by U.S. Mail this 16<sup>th</sup> day of October, 2008.

Lee Eng Tan, Esq.  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

J. Phillip Carver, Sr. Attorney  
AT&T Southeast  
675 West Peachtree Street, Suite 4300  
Atlanta, Georgia 30375

Manuel A. Gurdian, Attorney  
c/o Mr. Gregory Follensbee  
AT&T Florida Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32303-1556

  
Norman H. Horton, Jr.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.	DOCKET NO. 050863-TP ORDER NO. PSC-08-0598-FOF-TP ISSUED: September 16, 2008
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The following Commissioners participated in the disposition of this matter:

KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

FINAL ORDER

BY THE COMMISSION:

I. Case Background

On November 10, 2005, dPi-Teleconnect, L.L.C. (dPi) filed a complaint against BellSouth Telecommunications, Inc. n/k/a AT&T Florida (AT&T) seeking resolution for a dispute arising under its interconnection agreement. On December 6, 2005, AT&T filed a response to dPi's complaint stating that dPi is not entitled to additional credits from AT&T as a result of dPi reselling AT&T services subject to promotional credits.

An administrative hearing was held on April 3, 2008. Post-hearing briefs were filed on April 30, 2008. On May 2, 2008 AT&T filed a Motion to Strike Appendices to dPi's post-hearing brief, which contained documents whose admission into the record had previously been denied by this Commission. On July 16, 2008, Order No. PSC-08-0457-PCO-TP was issued granting AT&T's Motion to Strike. We are vested with jurisdiction over this matter pursuant to Section 364.012, Florida Statutes, and Section 252 of the 1996 Federal Telecommunications Act.

II. Analysis

AT&T Florida line connection charge waiver promotion credits

The crux of this issue centers around the question of whether dPi is entitled to credits for the Line Connection Charge Waiver (LCCW) when dPi submits orders with free blocks. The language in AT&T's General Subscriber Service Tariff (GSST) states that the line connection charge will be waived for reacquisition and win-over residential customers who currently are not using AT&T for local service and who purchase AT&T Complete Choice, AT&T PreferredPack service, or basic service and two (2) features. dPi contends that the qualifications are met when dPi submits orders for reacquisition or win-over customers that include basic service and a combination of two free TouchStar service blocks, i.e., BCR (Denial of Per Activation of Call

EXHIBIT "A"

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Return), BRD (Denial of Per Activation of Repeat Dialing), and HBG (Denial of Per Activation of Call Tracing). AT&T asserts that the qualifications are met when dPi submits orders for the purchase of basic service and two TouchStar Service features that have a monthly or per usage fee.

dPi

dPi witness Watson devotes the majority of his testimony to explaining his role as the billing agent for dPi's promotional credits in 2004. The witness explains the methodology that AT&T had in place for processing credit requests from dPi and other CLECs, and argues why AT&T should be required to pay dPi the credits sought for the Line Connection Charge Waiver. dPi witness Bolinger's testimony primarily reiterates arguments made by witness Watson.

Witness Watson asserts that his company, Lost Key Telecom, was hired by dPi to apply for credits that dPi was entitled to receive from AT&T for promotions being offered by AT&T. The witness states that as dPi's billing and collections agent in the promotional credit process, his company reviewed data provided by dPi for resold AT&T services and determined for which promotions dPi was entitled to receive promotional credits. He asserts that once the promotions had been identified, Lost Key Telecom would submit promotional credit requests to AT&T on dPi's behalf.

dPi witness Watson testifies that when he first started applying for credits for CLECs in 2003, the process was long and the staff at AT&T consisted of one person, who was subsequently replaced by another person in the second half of 2005. The witness asserts that the staff at AT&T who were responsible for processing the promotional credits were helpful, but it was clear that when he first started talking to them about the credit process that AT&T was not receiving many requests from CLECs. He states that AT&T's staff was unable to answer many of his questions regarding promotions, and when they did answer questions the response was often later reversed. The witness opines that at times it seemed that policies were made on the spot, on an ad hoc basis.

Witness Watson asserts that AT&T Florida has offered a promotion called the Line Connection Charge Waiver that essentially waives the line connection charge for customers who switch to AT&T and purchase basic service and two TouchStar features. He states that in August 2004 Lost Key Telecom started submitting credit requests for dPi and other clients that consisted of new basic service and two or more TouchStar features. Witness Watson states that AT&T paid all the claims that he submitted for Budget Phone, another CLEC that had a claim twice the size of dPi's. He also notes that AT&T paid Teleconnect in full for promotional credits for claims that were very similar to dPi's.

Witness Watson testifies that from September 2004 to April 2005 AT&T stopped paying dPi's promotional credit requests, but did not give a reason for not paying the credits; dPi was often promised that the payments were forthcoming. The witness states that in April 2005 AT&T informed dPi that credits would not be paid because dPi's orders did not include the purchase of basic service and two features. He states that dPi was told that the BCR, BRD, and

HBG blocks that were included in dPi's orders did not meet the qualifications because they were provided by AT&T at no additional charge. The dPi witness notes that in basically every instance where AT&T denied credit for the line connection charge waiver, dPi orders included basic service and at least two TouchStar features, such as the BCR and BRD blocks.<sup>1</sup> Witness Watson contends that there is no dispute that the BCR and BRD blocks are TouchStar features, and that AT&T Florida previously paid credits to other carriers with service orders consisting of basic service and TouchStar blocks.

According to witness Watson, AT&T initially agreed that orders consisting of basic service and the TouchStar blocks, BRD and BCR and HBG, were valid because for a while it paid credits to other CLECs for orders identical to those of dPi. The witness opines that once AT&T realized that the majority of dPi's orders would qualify for the promotion because the typical order for a dPi customer with poor credit includes at least two blocks, AT&T changed its interpretation of the promotion to keep from having to pay credits to dPi and other CLECs for the line connection charge waiver for a promotion for which most of AT&T customers with good credit would not qualify. dPi witness Bolinger asserts that Lost Key developed an automated system for processing promotional credits that was evaluated and approved by AT&T, prior to large batches of orders being submitted for credits. The witness asserts that AT&T approved the test orders for the LCCW credits that included basic service and blocking features.

#### AT&T

The majority of AT&T witness Tipton's testimony addresses the issues raised about the Line Connection Charge Waiver and explains why dPi is not entitled to the credits for the promotion when it submits orders consisting of basic service and two or more of the free TouchStar Service blocks, such as BCR, BRD, or HBG.

Witness Tipton asserts that AT&T offers its retail promotions, such as the Line Connection Charge Waiver, to dPi by granting credits for the value of the promotion when dPi meets the same criteria that an AT&T customer must meet to qualify for the promotion. According to witness Tipton, dPi is requesting credits for the promotion, in some instances, for end users who do not meet the eligibility criteria for the promotion. She states that the LCCW promotion requires an end user to purchase basic service and two features. The witness also disputes dPi's contention that the free blocks that dPi includes on most of its end user orders qualify as "purchased features" even though neither dPi nor its end users pay anything for these features.

Witness Tipton testifies that AT&T does not seek to avoid payment of promotional credits to dPi for claims that meet the qualifying criteria, but AT&T does seek to deny payment of claims to dPi and other CLECs that do not meet the conditions stated in the interconnection

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<sup>1</sup> AT&T contends that the TouchStar BCR, BRD, and HBG blocking features are not features at all. However, they are described in the TouchStar feature portion of AT&T's tariff, where they are listed with other features, and are specifically referred to as features. See EXH 17, an excerpt from the tariff. Furthermore, AT&T employees repeatedly referred to these features as features during communications between the parties; see EXH 21.

agreement for promotions. The witness asserts that by the April 2007 billing cycle AT&T had issued credits totaling \$83,000 to dPi's Florida end users. The witness states that the line connection charge waiver credit is paid when a request meets the eligibility criteria, and it is denied when a request does not. She cites the parties' interconnection agreement (Agreement) as the document that governs the issuance of promotional credits. The Agreement reads:

Where available for resale, promotions will be made available only to End Users who would have qualified for the promotion had it been provided by BellSouth directly.<sup>2</sup>

Witness Tipton asserts that the language in the agreement is clear, and dPi is only entitled to promotional credits when dPi's end users meet the same promotional criteria that AT&T retail end users must meet in order to qualify for the credit.

According to witness Tipton each month CLEC resellers submit credit request forms with accompanying spreadsheets for end user accounts which the CLECs claim qualify for promotional credits. Witness Tipton asserts that when requests are submitted by a CLEC, the CLEC has represented to AT&T that the CLEC's end users meet the criteria to qualify for the credit. She states that when AT&T first started processing promotional credits from CLECs, it assumed that the requests met the promotion's requirements listed in the tariff and the interconnection agreement between AT&T and the respective CLEC, and did not attempt to verify their eligibility. The witness asserts that in 2004 it appeared that some of the requests submitted by CLECs were not valid and ineligible for a promotional credit. As a result, AT&T started sampling the requests from CLECs in early 2005 to verify that the credit requests were valid and eligible for the promotion.

In witness Tipton's direct testimony she explains that the majority of dPi's claims are for the Line Connection Charge Waiver promotion, but there are actually three promotions at issue in the original complaint. Regarding the LCCW promotion, the witness asserts that the LCCW provides a credit of the applicable nonrecurring line connection charge (installation charge) when a customer purchases a basic local flat-rate residential line and two features. Witness Tipton explains that an AT&T retail end user qualifies for the LCCW if the end user is a customer whose service is currently with another carrier and the customer orders service as an AT&T "win-over," or reacquired customer. She asserts that the customer must also have purchased a minimum of basic service and a specified number of Custom Calling or TouchStar features. Witness Tipton testifies further that per the terms of the parties' Agreement, for dPi to qualify for a credit under the LCCW promotion, a dPi end user must likewise be a customer that is not a current dPi customer, has become a win-over or reacquired customer for dPi, and the customer must have purchased the specified number of Custom Calling or TouchStar features in accordance with the terms of the promotion.

Witness Tipton contends that the majority of the customer orders for which dPi requested credits under the LCCW promotion were denied by AT&T because the orders did not contain the

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<sup>2</sup> This language was included in the original ICA between dPi and AT&T Florida.

required number of purchased features. The AT&T witness states that many of dPi's end users did not purchase any features, and thus were not eligible for the credit because AT&T retail end users with similar orders are not eligible for the LCCW promotion. She asserts that some of dPi's requests were also denied because the request was a duplicate request. Witness Tipton testifies that prior to implementing its automated verification process in April 2006, AT&T performed a sample audit of the credit requests submitted by dPi. The witness states that a subsequent review of 100% of the promotional credit requests was conducted for requests that were submitted in Florida for the period January 2005 through December 2005 that were not included in the original sample. The witness asserts that the review that was performed on the remainder of the requests (1) confirms the outcome of the initial sample, (2) indicates that AT&T most likely overpaid credits to dPi, and (3) reflects that dPi's process for submitting requests lacked a method to ensure that only valid requests were submitted. Witness Tipton states that when AT&T verified 100% of the requests for credits that dPi submitted for the LCCW promotion for January 2005 to December 2005, it was determined that 84% of the requests did not meet the qualifications for the LCCW promotion. She notes that initially 82% of dPi's LCCW requests for this period were denied, which indicates that dPi was overpaid for the LCCW promotion during the period January 2005 to December 2005.

Based upon the results of the verification conducted by AT&T for requests that dPi submitted between January 2005 and December 2005, the AT&T witness believes that dPi systematically inflated claims by submitting duplicate claims for credit without applying the most basic verification. Witness Tipton testifies that dPi submitted requests for some promotions that did not meet the qualifications because existing customer accounts were submitted for promotions that were only available to new customers, and those same new customers were also submitted for promotions that only applied to existing customers. According to witness Tipton, a review conducted by AT&T of claims submitted by dPi indicates that requests for credit were made in the same month, for the same end user telephone number, for both the LCCW and the Secondary Service Charge Waiver (SCCW) promotion. The witness asserts that claims were submitted in this manner even though the LCCW promotion requires that the customer be a newly reacquired or win-over customer, while the SCCW promotion requires that the customer be an existing customer. Witness Tipton asserts that a random review performed by AT&T of the credit requests submitted for January 2005 reveals that dPi submitted requests for credit and attempted to "double-dip" by applying for the LCCW and the SCCW promotion using the same customer information. The witness states that AT&T has informed dPi on numerous occasions of the number of accounts that dPi has submitted that did not meet the eligibility criteria.

In her rebuttal testimony witness Tipton asserts that dPi witness Watson discusses at length the process that AT&T used to review CLEC requests for promotional credits, which is not at issue in this proceeding. Witness Tipton states that our Order<sup>3</sup> only identified two issues:

- (1) Is dPi entitled to credits for the AT&T Florida Line Connection Charge Waiver promotion when dPi orders free blocks on resale lines? and

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<sup>3</sup> Order No. PSC-07-0322-PCO-TP, issued April 13, 2007.

(2) Is dPi entitled to any other promotional resale credits from AT&T Florida?

Witness Tipton argues that even though dPi claims that AT&T has not granted dPi credits for valid requests for the LCCW promotion, in most cases dPi no longer submits such requests for credits. The witness also states that the majority of dPi's requests that were denied, were denied because it appears that most of dPi's orders were based on the assumption that nonchargeable calling blocks are features. Witness Tipton testifies that calling blocks enable end users to prevent the activation of certain features that have a per-usage charge. The witness believes that a review of AT&T's tariff illustrates the distinction between a feature and a call block by referring to the applicable Rates and Charges for TouchStar Services. She asserts that the blocking capability described as "Denial of Per Activation" in the GSST Tariff is available to a customer at no charge if the customer wants to ensure that certain chargeable features are not utilized.

Witness Tipton states that dPi does not purchase call blocks from AT&T, and dPi does not charge its end users for the call blocks because the blocks are not purchased features. The witness asserts that in the North Carolina proceeding on the same issue, dPi witness Bolinger stated that dPi places blocks on all of its end user lines to ensure that its customers do not incur per activation charges on their accounts because that is standard industry practice for prepaid customers.

In response to dPi witnesses Watson and Bolinger's testimony that accuses AT&T of crediting CLECs in an unfair manner in 2004, AT&T witness Tipton counters that these allegations are not true. She states that in August and September 2004, dPi witness Watson from Lost Key Telecom began submitting thousands of requests for promotional credits for several CLECs' clients, and while AT&T was trying to determine how best to process the voluminous number of requests, witness Watson contacted AT&T and requested that AT&T process the requests from Budget Phone as soon as possible. Witness Tipton asserts that witness Watson told her that his business had been severely damaged as a result of Hurricane Ivan and that he needed the credits processed quickly in order to continue his business operations. She states AT&T assumed that witness Watson's requests were valid, and AT&T processed almost 100% of the credits for Budget Phone. Witness Tipton asserts that after the requests were processed for Budget Phone, AT&T realized that Budget Phone and many of the other CLECs for whom Lost Key Telecom had submitted claims had received credit for promotions that did not meet the terms of the promotion, and AT&T immediately suspended granting credits to all CLECs for a time.

In AT&T witness Tipton's direct testimony she states that after AT&T verified 100% of the promotional credit requests that dPi submitted between January 2005 and December 2005 it was determined that dPi was overpaid by 2% for the 2005 LCCW promotional credit requests. In her rebuttal testimony witness Tipton testifies that after additional reviews were conducted by AT&T for 100% of the promotional credit requests submitted by dPi for the LCCW promotion for the period January through March 2006 and August through December 2004, it was also determined that dPi had been overpaid for the LCCW promotion. dPi was overpaid by 3% for the period January through March 2006, and by 19% for the period August 2004 through

December 2004. In her supplemental rebuttal testimony, the witness notes that neither Lost Key Telecom nor dPi assisted in the development of AT&T's process for approving promotional credits, and no small test batches of claims were ever submitted to AT&T for approval before AT&T was inundated with the requests from Lost Key Telecom.

At hearing, witness Tipton testified that it was not AT&T's practice to grant the LCCW promotion to its retail customers that requested basic service and free blocks, as dPi contends that the data in EXH 13 proves. The witness asserts that there are several reasons why AT&T might have waived the line connection charge for some of its retail customers but it was never waived because of the LCCW promotion when its customers only ordered basic service and free blocks. She states that the data in EXH 13 reflects that in some instances the line connection charge was waived for some of AT&T's retail customers, but it cannot be determined in many instances why the charge was waived. Witness Tipton asserts that based on the data in EXH 13 and the analysis of that data, it is impossible for dPi or AT&T to determine whether a particular retail customer received a waiver of the line connection charge pursuant to the LCCW promotion.

#### Decision

The treatment of promotions is addressed in the parties' Agreement entered into on February 28, 2003. The language states that promotions lasting more than 90 days will be provided to dPi end users who would have qualified for the promotion had it been provided by AT&T directly. AT&T acknowledges its obligation to offer the LCCW promotion to dPi and asserts that the promotion is offered to dPi when dPi's orders meet the conditions and qualifications of the promotion. AT&T testifies that all requests for credits by dPi have been granted for claims that met the qualifications. To the contrary, dPi contends that AT&T has not extended its promotional pricing for all orders that met the qualifications. dPi asserts that AT&T originally interpreted its tariff language the way dPi states that it should be interpreted, but changed its interpretation after it paid a substantial amount of credits to two CLECs with identical claims as dPi. dPi contends that AT&T changed its interpretation so that it would not have to pay the requested credits to dPi and other CLECs. In its brief, dPi claims that AT&T interpreted the qualifying language and awarded promotional credits for the LCCW promotion in a manner consistent with dPi's interpretation. AT&T witness Tipton counters that dPi's claims were not valid. Witness Tipton also asserts that the claims that were submitted by Lost Key Telecom on behalf of other CLECs, such as Budget Phone, that were paid in 2003 and 2004 were also invalid. These claims were inadvertently paid because AT&T did not independently verify them, instead assuming that they satisfied the promotion's requirements.

dPi argues that dPi is AT&T's customer and if dPi's customers order dPi's basic service and dPi places a combination of the BRD, BCR, or HBG blocks on the orders, the orders qualify for the line connection charge waiver. However, AT&T contends that dPi's customers or end users must purchase basic service and two TouchStar features to qualify for the promotion, just as AT&T's end users must do to qualify for the promotion. AT&T asserts that it does not provide the LCCW to its end users on orders consisting of basic service and a combination of the

free blocks, and thus dPi is not entitled to the waiver when it submits orders for its end users with basic service and a combination of the free blocks.

In its brief, dPi contends that its analysis of the data produced by AT&T in Exhibit 13 shows that AT&T retail customers with orders consisting of basic service and two of the blocks (BCR, BRD, or HBG) received waivers of the line connection charge. AT&T's witness Tipton acknowledges that some of AT&T's retail customers received waivers for the line connection charge for several reasons. She states that the data in EXH 13 reflect that in some instances the line connection charge was waived for some of AT&T's retail customers, but it cannot be determined in many instances why the charge was waived. Witness Tipton asserts that based on the data in EXH 13 and the analysis of that data, it is impossible for dPi or AT&T to determine whether a particular retail customer received a waiver of the line connection charge pursuant to the LCCW promotion. We agree that it cannot be confirmed that when the line connection charge was waived for some of AT&T's retail customers, it was waived pursuant to the LCCW promotion.

Although there is only one primary issue and the parties agree that certain terms and conditions must be met in order to qualify the promotional credit for the LCCW, they tend to disagree on the application and interpretation of the language regarding (1) purchased features, (2) end users, (3) the process for requesting credits, and (4) parity. As a result, most of the parties' arguments address secondary issues that they assert are relevant to the LCCW promotion. AT&T's GSST<sup>4</sup> describes the terms and conditions that must be met to qualify for the promotion. The language in the GSST states:

The line connection charge to reacquisition or win-over residential customers who currently are not using BellSouth for local service and who purchase BellSouth Complete Choice service, BellSouth PreferredPack service, or basic service and two (2) features will be waived.

In their Agreement AT&T and dPi have defined certain terms and conditions that must be met regarding parity in order to qualify for promotional offerings. The Online Merriam-Webster Dictionary defines parity as the quality or state of being equal or equivalent.<sup>5</sup> Accordingly, we find that parity is achieved in this case when AT&T's retail customers (end users) and dPi's retail customers (end users) are treated equally when it comes to requirements that must be met to qualify for the LCCW promotion. First, the Agreement defines "end user" in both the general terms and conditions section, and the section on Resale. The definition reads:

End User means the ultimate user of the Telecommunications Service.<sup>6</sup>

<sup>4</sup> Section A2.10.2(A) of AT&T Florida's General Subscriber Services Tariff that was in effect at the time the promotion credits were requested by dPi.

<sup>5</sup> The URL for this definition is <http://www.merriam-webster.com/dictionary>

<sup>6</sup> Negotiated Interconnection Agreement between dPi Teleconnect and BellSouth Telecommunications, Inc., dated March 11, 2003 and March 20, 2003, respectively.

We find the definition of end user is crucial in determining parity. We further find that "end user" refers to dPi's end users, not to dPi as dPi asserts. Second, the Agreement addresses parity on Page 4 of the General Terms and Conditions section. The language states:

When dPi purchases Telecommunication Services from BellSouth for the purpose of resale to End Users, such services shall be equal in quality, subject to the same conditions, and provided within the same provisioning time interval that BellSouth provides to its Affiliates, subsidiaries and End Users.<sup>7</sup>

We find that the above language supports AT&T's argument that while dPi is AT&T's customer, it is dPi's end users who are the recipient of the services, and therefore they must meet the same criteria that AT&T's end users must meet to qualify for the LCCW promotion. Third, the Agreement addresses the conditions under which services will be available for resale by dPi. That language is addressed in the Agreement in Attachment 1, which includes a page that states exclusions and limitations on services available for resale. Under the Exclusion and Limitations Section of the Resale portion of the ICA, on Page 16 of Attachment 1, Applicable Note 2 states:

Where available for resale, promotions will be made available only to End Users who would have qualified for the promotion had it been provided by BellSouth directly.<sup>8</sup>

In its brief, dPi argues that the BCR, BRD, and HBG are identified in the tariff as features and AT&T staff members have referred to them previously as features in communications with dPi. dPi further notes these blocks are features that have USOC codes listed in the rates and charges section of the tariff. Witness Tipton asserts that BCR, BRD, and HBG are listed under TouchStar Service but they are not TouchStar features and, more importantly, they are not purchased TouchStar features. In its brief, AT&T points out that dPi end users do not order the BCR, BRD, and HBG blocks that dPi places on their lines. We find it appropriate to agree with witness Tipton that the references made to the BCR, BRD, and HBG in footnotes in the GSST are ambiguous and somewhat confusing, but even if they are features, they are not purchased by dPi or dPi's end users. Pursuant to the language in the Agreement, we find that in order for dPi to qualify for the LCCW promotion, features must be purchased. Based upon the record evidence in this proceeding, we find that dPi's interpretation of the language in the tariff lacks merit and dPi also has not shown that its customers purchased the denial of activation blocks. We find that dPi is not entitled to any credits.

#### Promotional Resale Credits

##### dPi

dPi witnesses Bolinger and Watson did not present arguments for credits initially sought from AT&T for the SSCW and the TFFF promotions. Witness Bolinger did, however, state that

<sup>7</sup> Id.

<sup>8</sup> Id. The wording of this footnote was included in the parties' original ICA, and this provision was applicable to all claims submitted on dPi's behalf in 2004 and 2005. During cross-examination AT&T's witness testified that dPi is not considered the end user in this footnote.

dPi has a number of promotion-related disputes but will only focus on the dispute about the LCCW promotion. Witness Watson also states that dPi has been denied credits for the SSCW and TFFF promotions.

During cross-examination, witness Watson testified that in January, February, March and April 2004, while employed by Teleconnect, he submitted credit requests similar to dPi's requests for the SSCW and the TFFF promotions that were paid by AT&T within 30 days. Witness Watson testifies that in the summer of 2004 he left Teleconnect and started his own business. He asserts that after starting his business, Lost Key Telecom, he met with AT&T staff regarding promotions that his company was going to submit for two of his clients, Budget Phone and dPi. He states that Budget Phone's claims were paid and dPi's claims were denied, without any explanation.

#### AT&T

Witness Tipton asserts that in some instances dPi requested credits that did not meet the eligibility criteria. Witness Tipton states that AT&T extends its promotional pricing to dPi when dPi submits claims that meet the qualifications for a promotion as stated in the GSST. The witness testifies that a dPi end user qualifies for the SSCW promotion when the end user requests to add or change features or service on his accounts. Witness Tipton asserts that the TFFF promotion only applies to reacquisition or win-over customers and AT&T and dPi end users must purchase basic local service plus two Custom Calling or TouchStar features to receive the credit during the 12-month period following the installation of the qualifying service.

Witness Tipton asserts that before AT&T implemented its automated verification process in April 2006, a sampling method was used to verify claims submitted for the period January 2005 through December 2005 for the SSCW promotion and TFFF promotion. The witness states that combined data from AT&T's reviews indicated that 87% of the credit requests that dPi submitted for the period January 2005 through December 2005 did not qualify for the SSCW promotion, and that AT&T had only denied 68% of these credits. Witness Tipton also testifies that the results from the combined review indicate that 19% of the credit requests that dPi submitted for the TFFF promotion did not meet the qualifications, but AT&T only denied 5% of the requests for that period. The witness states that in both instances dPi had been overpaid for these promotions. Witness Tipton asserts that a random review of credit requests submitted in January 2005 indicated that dPi submitted the same requests for both the SSCW and LCCW promotions, even though the qualifications are different for each promotion. The witness asserts that AT&T communicated its concerns to dPi regarding the number of accounts submitted that were invalid.

Witness Tipton asserts in her rebuttal testimony that dPi's witnesses did not provide any testimony to support dPi's contention that AT&T owes dPi credits for the SSCW and the TFFF promotions. The witness states that credit requests submitted by dPi and subsequently denied by AT&T, were denied because they did not meet the qualifications for the promotion. Witness Tipton testifies that before going to hearing in the North Carolina case dPi agreed to drop the SSCW promotion and the TFFF promotion because dPi felt the issue had been addressed

satisfactorily. The AT&T witness states that additional reviews have been completed that validates AT&T's claim that dPi is not entitled to any credit requests for the SSCW promotion and the TFFF promotion.

Decision

dPi did not address or provide a position whether it was entitled to any other promotional resale credits from AT&T Florida in its post-hearing brief. We further note that the Order Establishing Procedure, Order No. PSC-07-0322-PCO-TP, and the Order Modifying Procedure, Order No. PSC-07-0959-PCO-TP, provide that failure to submit a position on an established issue in a post-hearing brief, results in that party having waived the specific issue. Therefore, we find that dPi has waived the issue in its entirety. Accordingly, absent any evidence or arguments to the contrary, we find that dPi is not entitled to any other promotional credits from AT&T.

**III. Conclusion**

We find that the TouchStar Service blocks that dPi orders for its resale lines that are provided by AT&T free of charge are not "purchased" features that qualify for promotional credits. We find it appropriate that dPi is entitled to credits for the Line Connection Charge Waiver promotion only when a dPi reacquisition or win-over customer purchases basic service and two features. We further find that dPi is not entitled to any credits in the instant docket, nor is dPi entitled to any other promotional credits from AT&T.

This docket shall be closed after the time for filing an appeal has run.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that dPi is entitled to credits for the Line Connection Charge Waiver promotion only when a dPi reacquisition or win-over customer purchases basic service and two features. It is further

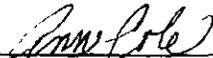
ORDERED that dPi is not entitled to any credits in the instant docket. It is further

ORDERED that dPi is not entitled to any other promotional credits from AT&T. It is further

ORDERED that this docket shall be closed after the time for filing an appeal has run.

ORDER NO. PSC-08-0598-FOF-TP  
DOCKET NO. 050863-TP  
PAGE 12

By ORDER of the Florida Public Service Commission this 16th day of September, 2008.



ANN COLE  
Commission Clerk

(SEAL)

TLT

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

**Matilda Sanders**

*PSC-08-0598-FOF-TP*

From: Gloria Ross  
Sent: Tuesday, September 16, 2008 8:58 AM  
To: CLK - Orders / Notices  
Cc: Lee Eng Tan  
Subject: Order / Notice Submitted

Date and Time: 9/16/2008 8:53:00 AM  
Docket Number: 050863-TP  
Filename / Path: I:\2005\050863\Post Hearing Order.tlt.doc

FPSC, CLK - CORRESPONDENCE  
~~X~~Administrative Parties Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

FINAL ORDER

*4 emailed  
0 mailed  
0 faxed*

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 050863**

<b>PARTY NAME</b>	<b>COMPANY CODE</b>	<b>EMAIL ADDRESS</b>	<b>ADDRESS IN MASTER COMMISSION DIRECTORY</b>
AT&T Florida (08k)		greg.follensbee@att.com	No
DPI-Teleconnect, L.L.C.	TX249	DDorwart@DPITeleconnect.com	No
Foster Law Firm		chrismalish@fostermalish.com	No
Messer Law Firm (08b)		nhorton@lawfla.com	No

**Matilda Sanders**

*PSC - 08 - 0457 - PCD - TP*

**From:** Gloria Ross  
**Sent:** Wednesday, July 16, 2008 10:52 AM  
**To:** CLK - Orders / Notices  
**Cc:** Lee Eng Tan  
**Subject:** Order / Notice Submitted  
  
**Date and Time:** 7/16/2008 10:50:00 AM  
**Docket Number:** 050863-TP  
**Filename / Path:** I:\2005\050863\Order Granting MTS.doc  
**Order Type:** Signed / Hand Deliver

FPSC, CLK - CORRESPONDENCE  
~~X~~Administrative Parties Consumer  
 DOCUMENT NO. 09654-07  
 DISTRIBUTION: \_\_\_\_\_

ORDER GRANTING MOTION TO STRIKE

RECEIVED--FPSC  
 08 JUL 16 AM 11:45  
 COMMISSION  
 CLERK

*4 emailed*

## Commission Clerk

---

**From:** Commission Clerk  
**Sent:** Wednesday, July 16, 2008 4:40 PM  
**Subject:** Order or Notice issued by the Public Service Commission (Email ID = 205046)  
**Attachments:** 08-0457ord.doc

The attached order or notice has been issued by the Public Service Commission.

If you have any problems opening this attachment, please contact the Office of Commission Clerk by reply email or at 850-413-6770.

When replying, please do not alter the subject line; as it is used to process your reply.

Thank you.

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 050863**

<b>PARTY NAME</b>	<b>COMPANY CODE</b>	<b>EMAIL ADDRESS</b>	<b>ADDRESS IN MASTER COMMISSION DIRECTORY</b>
AT&T Florida (08k)		greg.follensbee@att.com	No
DPI-Teleconnect, L.L.C.	TX249	DDorwart@DPITeleconnect.com	No
Foster Law Firm		chrismalish@fostermalish.com	No
Messer Law Firm (08b)		nhorton@lawfla.com	No

State of Florida



# Public Service Commission

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

FPSC, CLK - CORRESPONDENCE
<input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Parties <input type="checkbox"/> Consumer
DOCUMENT NO. 07654-07
DISTRIBUTION:

**DATE:** April 16, 2008

**TO:** Ann Cole, Commission Clerk

**FROM:** Jane Faurot, Chief, Hearing Reporter Services Section

**RE:** DOCKET NO. 050863-TP, HEARING HELD 04/03/08.

Attached for filing are exhibits 1 through 32, representing a complete filing of the exhibits identified and admitted into the record during the proceedings held in the above docket.

Acknowledged BY:

        *JMP*        

JF/rlm

3/28/2008 2:18 PM

Office of Commission Clerk Official Filing

Ruth Nettles

PSC-08-0209-PCO-TP

From: Mary Diskerud  
Sent: Friday, March 28, 2008 2:10 PM  
To: CLK - Orders / Notices  
Subject: Order / Notice Submitted

Date and Time: 3/28/2008 2:10:00 PM  
Docket Number: 050863-TP  
Filename / Path: OrderDenyTest.doc  
Order Type: Signed / Hand Deliver

4 pgs

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09654-07		
DISTRIBUTION: _____		

Copied to gcorders

0/0/4

RECEIVED-FPSC  
08 MAR 28 PM 2:18  
COMMISSION  
CLERK

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 050863**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida (07k)		greg.follensbee@att.com	No
DPI-Teleconnect, L.L.C.	TX249	DDorwart@DPITeleconnect.com	No
Foster Law Firm		chrismalish@fostermalish.com	No
Messer Law Firm (08b)		nhorton@lawfla.com	No

Matilda Sanders

*PSC-08-0122-PCD-TP*

From: Jackie Schindler  
Sent: Tuesday, February 26, 2008 9:33 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

Date and Time: 2/26/2008 9:32:00 AM  
Docket Number: 050863-TP  
Filename / Path: 050863mtndiscovery.doc  
Order Type: Signed / Hand Deliver

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <i>09654-07</i>		
DISTRIBUTION: _____		

An ORDER DENYING ADDITIONAL DISCOVERY AND FOURTH ORDER MODIFYING PROCEDURE has been SIGNED and moved to GC Orders for issuance today. The Order should come on our next run.

Thanks,  
js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-4B-6754

*0/0/3*

RECEIVED-FPSC  
08 FEB 26 AM 10: 29  
COMMISSION  
CLERK

**FLORIDA PUBLIC SERVICE COMMISSION  
CASE MANAGEMENT SYSTEM  
PARTICIPATING EMAIL ADDRESSES FOR DOCKET 050863**

PARTY NAME	COMPANY CODE	EMAIL ADDRESS	ADDRESS IN MASTER COMMISSION DIRECTORY
AT&T Florida (07k)		greg.follensbee@att.com	No
DPI-Teleconnect, L.L.C.	TX249	DDorwart@DPITeleconnect.com	No
Foster Law Firm		chrismalish@fosterlmalish.com	No

**Clara Leider**

---

**From:** Sandy Simmons  
**Sent:** Tuesday, February 19, 2008 8:25 AM  
**To:** Clara Leider  
**Subject:** Proposed Changes to Form 050863-TP-00001  
  
**Attachments:** CCS Form 050863-TP-00001-015.pdf

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>09654-07</u>		
DISTRIBUTION: _____		



CCS Form  
050863-TP-00001-015

Docket Number 050863-TP - Form Number 050863-TP-00001-015

Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Change in appointment - Day 1 of a 1-day Hearing - 03/12/2008 - 9:30 a.m.- 5:00 p.m. - in Tallahassee - Room E-148 - Involving McMurrian, Argenziano, Skop

Change in appointment date  
From 03/12/2008 to 04/03/2008

Attached is a Case Scheduling/Rescheduling Advice (CSRA) in the referenced docket. If you have any questions regarding the form, please contact Sandy Simmons at 413-6008.

# Case Scheduling/Rescheduling Advice

Last Revised 02/19/2008 at 8:24 a.m.

**To:**

<input checked="" type="checkbox"/> Commissioner Edgar	<input checked="" type="checkbox"/> Deputy Executive Director	<input type="checkbox"/> Economic Regulation
<input checked="" type="checkbox"/> Commissioner McMurrian	<input checked="" type="checkbox"/> General Counsel	<input checked="" type="checkbox"/> Court Reporter
<input checked="" type="checkbox"/> Commissioner Argenziano	<input type="checkbox"/> Strategic Analysis & Gov. Affairs	<input checked="" type="checkbox"/> Staff Contact - Theresa Tan
<input checked="" type="checkbox"/> Commissioner Skop	<input checked="" type="checkbox"/> Commission Clerk	<input type="checkbox"/>
<input checked="" type="checkbox"/> Executive Director	<input checked="" type="checkbox"/> Competitive Markets/Enforcement	<input type="checkbox"/>
<input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Reg. Compliance/Consumer Asst.	<input type="checkbox"/>

**From:** Office of Chairman Matthew Carter

**Docket Number:** 050863-TP -- Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

**1. Schedule Information**

Event	Former Date	New Date	Location / Room	Time
Hearing	03/12/2008	04/03/2008	Tallahassee / E-148	9:30 a. - 5:00 p.

**2. Hearing/Prehearing Assignment Information**

**Hearing Officers**

Former Assignments

Commissioners					Hearing Exam.	Staff
ALL	CT	ED	MMAG	SK		
X						

Current Assignments

Commissioners					Hearing Exam.	Staff
ALL	CT	ED	MMAG	SK		
			X	X	X	

**Prehearing Officer**

Commissioners

CT	ED	MMAG	SK	ADM
			X	

Commissioners

CT	ED	MMAG	SK	ADM
		X		

**Remarks:**

**Marguerite Lockard**

PSC-08-0013 - CFO-TP

**From:** Jackie Schindler  
**Sent:** Thursday, January 03, 2008 1:36 PM  
**To:** CLK - Orders / Notices  
**Subject:** Order / Notice Submitted

**Date and Time:** 1/3/2008 1:34:00 PM  
**Docket Number:** 050863  
**Filename / Path:** order10483-07.doc  
**Order Type:** Signed / Hand Deliver

<b>FPSC, CLK - CORRESPONDENCE</b>		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
<b>DOCUMENT NO.</b> 09654-07		
<b>DISTRIBUTION:</b> _____		

RECEIVED-FPSC  
08 JAN - 3 PM 1:50  
COMMISSION  
CLERK

AN ORDER GRANTING AT&T'S REQUEST FOR SPECIFIED CONFIDENTIAL CLASSIFICATION has been moved to GC Orders for issuance today.

There is a two page attachment which is not on-line.

5 pages

js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6751

0/0/3

Matilda Sanders

PSC-07-0959-PCO-JP

From: Jackie Schindler  
Sent: Friday, November 30, 2007 3:53 PM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

Date and Time: 11/30/2007 3:51:00 PM  
Docket Number: 050863-TP  
Filename / Path: omp3.doc  
Order Type: Signed / Hand Deliver

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09654-07		
DISTRIBUTION: _____		

A THIRD ORDER MODIFYING PROCEDURE has been SIGNED nd moved to GC Orders for issuance TODAY per Commissioner.

Please ensure that this order is moved to CMS and the Website upon issuance.

Thanks,  
js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6754

RECEIVED-FPSC  
07 NOV 30 PM 3:58  
COMMISSION  
CLERK

**Matilda Sanders**

From: Sandy Simmons  
Sent: Tuesday, November 13, 2007 9:48 AM  
To: Matilda Sanders  
Subject: Proposed Changes to Form 050863-TP-00001

Attachments: CCS Form 050863-TP-00001-014.pdf



CCS Form  
3-TP-00001-0

FPSC/CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09654-07		
DISTRIBUTION:		

COMMISSION  
CLERK

07 NOV 13 AM 9:54

RECEIVED-FPSC

Docket Number 050863-TP - Form Number 050863-TP-00001-014

Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Change in appointment - Day 1 of a 1-day Hearing - 11/30/2007 - 9:30 a.m.- 5:00 p.m. - in Tallahassee - Room E-148 - Involving McMurrian, Argenziano, Skop

Change in appointment date  
From 11/30/2007 to 03/12/2008

Attached is a Case Scheduling/Rescheduling Advice (CSRA) in the referenced docket. If you have any questions regarding the form, please contact Sandy Simmons at 413-6008.

# Case Scheduling/Rescheduling Advice

Last Revised 11/13/2007 at 9:47 a.m.

**To:**

<input checked="" type="checkbox"/> Commissioner Carter	<input checked="" type="checkbox"/> Deputy Executive Director	<input type="checkbox"/> Economic Regulation
<input checked="" type="checkbox"/> Commissioner McMurrain	<input checked="" type="checkbox"/> General Counsel	<input checked="" type="checkbox"/> Court Reporter
<input checked="" type="checkbox"/> Commissioner Argenziano	<input type="checkbox"/> Strategic Analysis & Gov. Affairs	<input checked="" type="checkbox"/> Staff Contact - Theresa [unclear]
<input checked="" type="checkbox"/> Commissioner Skop	<input checked="" type="checkbox"/> Commission Clerk	
<input checked="" type="checkbox"/> Executive Director	<input checked="" type="checkbox"/> Competitive Markets/Enforcement	
<input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Reg. Compliance/Consumer Asst.	

**RECEIVED-FPSC**  
**07 NOV 13 AM 9:54**  
**COMMISSION CLERK**

**From:** Office of Chairman Lisa Edgar

**Docket Number:** 050863-TP -- Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

**1. Schedule Information**

Event	Former Date	New Date	Location / Room	Time
Hearing	11/30/2007	03/12/2008	Tallahassee / E-148	9:30 a. - 5:00 p.

**2. Hearing/Prehearing Assignment Information**

**Former Assignments**

**Hearing Officers**

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
X						

**Current Assignments**

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
			X	X	X	

**Prehearing Officer**

Commissioners					
ED	CT	MMAG	SK	ADM	
			X		

Commissioners					
ED	CT	MMAG	SK	ADM	
		X			

**Remarks:**

**Matilda Sanders**

From: Jackie Schindler  
Sent: Tuesday, November 06, 2007 10:56 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

Date and Time: 11/6/2007 10:55:00 AM  
Docket Number: 050863-TP  
Filename / Path: commission notice2.doc  
Notice Type: Hearing

*CCS ✓*

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09654-07		
DISTRIBUTION: _____		

A NOTICE OF COMMISSION HEARING has been moved to GC Orders for issuance today.

Thanks,  
js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2510 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6754

*7/2 (28 emailed) + 304 Gov. Off. for  
MCD Hearings Telecom TL720*

Matilda Sanders

PSC-07-0895-CFO - TP

From: Jackie Schindler  
Sent: Monday, November 05, 2007 11:04 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

Date and Time: 11/5/2007 11:02:00 AM  
Docket Number: 050863-TP  
Filename / Path: see below  
Order Type: Signed / Hand Deliver

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>09654-07</u>		
DISTRIBUTION: _____		

Three Orders Granting Specified Confidential Classification have been moved to GC Orders for issuance later today.

07864.order.doc  
08943.order.doc  
08633.order.doc

Thanks,  
js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6751

0/0 (+ 3 emailed)

RECEIVED - FPSC  
07 NOV -5 PM 1:36  
COMMISSION  
CLERK

Matilda Sanders

*FPSC - 07 - 0894 - CFO - TP*

From: Jackie Schindler  
Sent: Monday, November 05, 2007 11:04 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

FPSC, CLK - CORRESPONDENCE
<input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Parties <input type="checkbox"/> Consumer
DOCUMENT NO. <u>09654-07</u>
DISTRIBUTION: _____

Date and Time: 11/5/2007 11:02:00 AM  
Docket Number: 050863-TP  
Filename / Path: see below  
Order Type: Signed / Hand Deliver

*5*  
*attach's not online*

Three Orders Granting Specified Confidential Classification have been moved to GC Orders for issuance later today.

07864.order.doc  
08943.order.doc  
08633.order.doc

Thanks,  
js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2510 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6751

*0/3 (+0 emailed)*

RECEIVED - FPSC  
07 NOV -5 PM 1:36  
COMMISSION  
CLERK

Matilda Sanders

PSC-07-0893-CFO-TP

From: Jackie Schindler  
Sent: Monday, November 05, 2007 11:04 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

5

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. 09654-07		
DISTRIBUTION:		

Date and Time: 11/5/2007 11:02:00 AM  
Docket Number: 050863-TP  
Filename / Path: see below  
Order Type: Signed / Hand Deliver

attach's online

Three Orders Granting Specified Confidential Classification have been moved to GC Orders for issuance later today.

07864.order.doc  
08943.order.doc  
08633.order.doc

Thanks,  
js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2510 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6754

0/0 (+ 3 emailed)

RECEIVED FPSC  
07 NOV -5 PM 1:35  
COMMISSION  
CLERK

Matilda Sanders

PSE-02-0820-PCO-TP

From: Jackie Schindler  
Sent: Friday, October 12, 2007 10:23 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

Date and Time: 10/12/2007 10:14:00 AM  
Docket Number: 050863-tp  
Filename / Path: orderdenystrike.doc  
Order Type: Signed / Hand Deliver

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>05305-07</u>		
DISTRIBUTION: _____		

An ORDER DENYING MOTION TO STRIKE TESTIMONY OF PAM TIPTON has been SIGNED and moved to GC Orders for issuance today. Please ensure that this order is put on the web and cms by COB today. Thanks. =)

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6754

O/O  
(+ 3 emailed)

RECEIVED - FPSC  
07 OCT 12 AM 10:41  
COMMISSION  
CLERK

Matilda Sanders

PSC-07-0814 - PEO-TP

From: Jackie Schindler  
Sent: Wednesday, October 10, 2007 9:28 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

Date and Time: 10/10/2007 9:19:00 AM  
Docket Number: 050863-TP  
Filename / Path: ordergrantingcontinuance.doc  
Order Type: Signed / Hand Deliver

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>05305-07</u>		
DISTRIBUTION: _____		

An ORDER GRANTING EMERGENCY JOINT MOTION FOR CONTINUANCE AND SECOND ORDER MODIFYING PROCEDURE has been moved to GC Orders for issuance today.

Thanks,

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6751

0/0 (+3 emailed)

RECEIVED-FPSC  
07 OCT 10 AM 9:34  
COMMISSION  
CLERK

Marguerite Lockard

PSC-07-0991-PCO-TP

**From:** Jackie Schindler  
**Sent:** Thursday, September 27, 2007 4:34 PM  
**To:** CLK - Orders / Notices; Lee Eng Tan  
**Subject:** Order / Notice Submitted

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>05305-07</u>		
DISTRIBUTION: _____		

**Importance:** High

**Date and Time:** 9/27/2007 4:32:00 PM  
**Docket Number:** 050863-TP  
**Filename / Path:** orderdenycontinuance.doc  
**Order Type:** Signed / Hand Deliver

An ORDER DENYING MOTION FOR CONTINUANCE has been moved to GC Orders for IMMEDIATE ISSUANCE PER COMMISSIONER MCMURRIAN.

**PLEASE ENSURE THIS ORDER IS ISSUED AND PUT ON THE WEB AND CMS ASAP.**

Thanks!

js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2510 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6751

3/0

Matilda Sanders

PSC-07-0788-PO-TP

From: Mary Diskerud  
Sent: Wednesday, September 26, 2007 3:16 PM  
To: CLK - Orders / Notices  
Subject: Order / Notice Submitted

Date and Time: 9/26/2007 3:15:00 PM  
Docket Number: 050863-TP  
Filename / Path: orderdeny.doc

PSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/>	Administrative	<input type="checkbox"/> Parties <input type="checkbox"/> Consumer
DOCUMENT NO. <u>05305-07</u>		
DISTRIBUTION: _____		

Copied to gcorders

3/0

RECEIVED-PSC  
 07 SEP 26 PM 3:23  
 COMMISSION  
 CLERK

Matilda Sanders

PSC-07-0787-PHO-TP

From: Mary Diskerud  
Sent: Wednesday, September 26, 2007 3:11 PM  
To: CLK - Orders / Notices  
Subject: Order / Notice Submitted

Date and Time: 9/26/2007 3:10:00 PM  
Docket Number: 050863-TP  
Filename / Path: pho.doc

12

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
 DOCUMENT NO. 05305-07  
 DISTRIBUTION: \_\_\_\_\_

COMMISSION  
CLERK

07 SEP 26 PM 3:23

RECEIVED-FPSC

3/0

Copied to gcorders

Matilda Sanders

PSC-07-0712-PCO-TP

From: Jackie Schindler  
Sent: Thursday, August 30, 2007 11:15 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

3/0

Date and Time: 8/30/2007 11:14:00 AM  
Docket Number: 050863-TP  
Filename / Path: odm.tlt.doc  
Order Type: Signed / Hand Deliver

An ORDER DENYING MOTION FOR CONTINUANCE has been signed and moved to GC Orders for issuance today.

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6751

FPSC, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>05305-07</u>		
DISTRIBUTION: _____		

RECEIVED-FPSC  
07 AUG 30 PM 12:44  
COMMISSION  
CLERK

**Matilda Sanders**

---

From: Jackie Schindler  
Sent: Monday, August 27, 2007 11:22 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

28/3

Date and Time: 8/27/2007 11:21:00 AM  
Docket Number: 050863-TP  
Filename / Path: commission notice.doc  
Notice Type: Prehearing/Hearing

ccs✓

A COMMISSION NOTICE OF HEARING AND PREHEARING has been moved to GC Orders for issuance today.

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6754

FPS, CLK - CORRESPONDENCE		
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input type="checkbox"/> Consumer
DOCUMENT NO. <u>05305-07</u>		
DISTRIBUTION: _____		

Matilda Sanders

PSC-07-0265-FOF-TP

050863-TP

From: Jackie Schindler  
Sent: Thursday, March 29, 2007 10:42 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

3/6

Date and Time: 3/29/2007 10:41:00 AM  
Docket Number: 050863-TP  
Filename / Path: 050863.reporder.tlt.doc  
Order Type: Signed / Hand Deliver

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

*attach online*

An ORDER AUTHORIZING APPEARANCE AS QUALIFIED REPRESENTATIVE has been moved to GC Orders for issuance today. The signed Order will come to you later today.

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6754

RECEIVED- FPSC  
07 MAR 29 PM 12:10  
COMMISSION  
CLERK

Matilda Sanders

PSL-07-0322-PCO-TP

050863-TP

From: Jackie Schindler  
Sent: Friday, April 13, 2007 10:55 AM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

RECEIVED-FPSC

07 APR 13 AM 11:09

Date and Time: 4/13/2007 10:54:00 AM  
Docket Number: 050863-TP  
Filename / Path: oep.doc  
Order Type: Signed / Hand Deliver

11

COMMISSION  
CLERK

*Attach online*

An ORDER ESTABLISHING PROCEDURE has been SIGNED and moved to GC Orders for issuance today.

Please have the issued Order scanned and posted to the website and CMS by the end of today.

Thanks!  
js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6754

310

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

7/9/2007 1:43 PM

Office of Commission Clerk Official Filing

Ruth Nettles

050863-TP

PSC-07-0571-PCO-TP

From: Jackie Schindler  
Sent: Monday, July 09, 2007 12:28 PM  
To: CLK - Orders / Notices; Lee Eng Tan  
Subject: Order / Notice Submitted

Date and Time: 7/9/2007 12:26:00 PM  
Docket Number: 050863-TP  
Filename / Path: 050863\_omp\_dpi\_final.doc  
Order Type: Signed / Hand Deliver

3pgs

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

An ORDER MODIFYING PROCEDURE has been signed and moved to GC Orders for issuance today. Thanks!  
Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6754

3/0

RECEIVED-FPSC  
07 JUL -9 PM 1:45  
COMMISSION  
CLERK

Marguerite Lockard

---

From: Jackie Schindler  
Sent: Monday, February 26, 2007 2:16 PM  
To: CCA - Orders / Notices; Jason Fudge  
Subject: Order / Notice Submitted

**ADMINISTRATIVE**

Date and Time: 2/26/2007 2:14:00 PM  
Docket Number: 050863-TP  
Filename / Path: 050863issueid.doc  
Notice Type: Memo for Issuance

A Memo Noticing an Issue ID Meeting has been moved to GC Orders for issuance. Please fax to all parties and interested persons. Thanks!

js

Jacqueline Schindler  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
850-413-6751

310

DOCUMENT NUMBER-DATE

09654 OCT 23 8

FPSC-COMMISSION CLERK

Matilda Sanders

PSC-07-0015-PCO-TP

050863-TP

RECEIVED FPSC

From: Jackie Schindler  
Sent: Wednesday, January 03, 2007 3:09 PM  
To: CCA - Orders / Notices  
Subject: Order / Notice Submitted

FPSC, CLK - CORRESPONDENCE JAN -3 PM 3:27

Date and Time: 1/3/2007 3:08:00 PM  
Docket Number: 050863-tp  
Filename / Path: 050863or.jkf.doc  
Order Type: Signed / Hand Deliver

X Administrative Parties Consumer

DOCUMENT NO. 091654-07

COMMISSION CLERK

DISTRIBUTION: \_\_\_\_\_

An ORDER GRANTING MOTION TO LIFT STAY has been moved to GC Orders for issuance. The SIGNED Order will come on our next run. Thanks!  
js

3/0

Matilda Sanders

050863-TP

0185-PCO

From: Andrea Cowart  
Sent: Wednesday, March 08, 2006 10:41 AM  
To: CCA - Orders / Notices; Felicia Banks  
Subject: Order / Notice Submitted

2

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

Date and Time: 3/8/2006 10:40:00 AM  
Docket Number: 050863-TP  
Filename / Path: 050863order.frb.doc  
Order Type: Signed / Hand Deliver

Order Granting Joint Motion for Abatement

RECEIVED-PPSC  
08 MAR - 8 AM 10:43  
COMMISSION  
CLERK

3/0

Section 1 - Bureau of Records Completes

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc.  
DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_  
Last Day to Suspend: \_\_\_\_\_

Expiration: \_\_\_\_\_

Referred to:

CCA	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
	X		X				

("O" indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A20(e)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff

J Susac

Current CASR revision level

Due Dates

Previous Current

Staff Counsel

J Susac

OCRs (CMP)

S Simmons

Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel \_\_\_\_\_  
Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: 12/07/2005

Initials OPR \_\_\_\_\_

Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BD	DS	BZ	ED	AR		
X							

Prehearing Officer

Commissioners					ADM
BD	DS	BZ	ED	AR	
				X	

Where panels are assigned the senior Commissioner is Panel Chairman: 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: BD/pmr

Date: 12/07/2005

Section 1 - Bureau of Records Complete:

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc. DPI-Teleconnect, L.L.C.

FPSC, CLK - CORRESPONDENCE  
~~Administrative Parties Consumer~~  
 DOCUMENT NO. 09664-07  
 DISTRIBUTION: \_\_\_\_\_

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_

Expiration: \_\_\_\_\_

Referred to:

(\*O\* indicates OPR)

CCA	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
	X		X				

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
 IT IS TENTATIVE AND SUBJECT TO REVISION.  
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

Current CASR revision level

Due Dates  
 Previous Current

Staff Counsel

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission Panel \_\_\_\_\_  
 Hearing \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: \_\_\_\_\_

Initials OPR \_\_\_\_\_

Staff Counsel \_\_\_\_\_

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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	ED	AR		

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	ED	AR	

Where panels are assigned the senior Commissioner is Panel Chairman: 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: \_\_\_\_\_

# Case Scheduling/Rescheduling Advice

Last Revised 04/17/2007 at 10:35 a.m.

**To:**

<input checked="" type="checkbox"/> Commissioner Carter	<input checked="" type="checkbox"/> Deputy Executive Director	<input type="checkbox"/> Economic Regulation
<input checked="" type="checkbox"/> Commissioner McMurrin	<input checked="" type="checkbox"/> General Counsel	<input checked="" type="checkbox"/> Court Reporter
<input checked="" type="checkbox"/> Commissioner New1	<input type="checkbox"/> Strategic Analysis & Gov. Affairs	<input checked="" type="checkbox"/> Staff Contact - Theresa Tan
<input checked="" type="checkbox"/> Commissioner New2	<input checked="" type="checkbox"/> Commission Clerk	<input type="checkbox"/>
<input checked="" type="checkbox"/> Executive Director	<input checked="" type="checkbox"/> Competitive Markets/Enforcement	<input type="checkbox"/>
<input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Reg. Compliance/Consumer Asst.	<input type="checkbox"/>

**From:** Office of Chairman Lisa Edgar

**Docket Number:** 050863-TP -- Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

**1. Schedule Information**

Event	Former Date	New Date	Location / Room	Time
Prehearing Conference		06/25/2007	Tallahassee / E-148	9:30 a. - 11:00 a.
Hearing		07/11/2007	Tallahassee / E-148	9:30 a. - 5:00 p.

**2. Hearing/Prehearing Assignment Information**

**Hearing Officers**

Former Assignments						Hearing Exam.	Staff
Commissioners							
ALL	ED	CT	MM	C1	C2		
X							

**Current Assignments**

Current Assignments						Hearing Exam.	Staff
Commissioners							
ALL	ED	CT	MM	C1	C2		
			X	X	X		

**Prehearing Officer**

Prehearing Officer						
ED	CT	MM	C1	C2	ADM	
			X			

**Commissioners**

ED	CT	MM	C1	C2	ADM
		X			

**Remarks:** OEP PSC-07-0322-PCO-TP, 7/13/07.

Section 1 - Bureau of Records Complete

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM	CLK	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
		X		X				

(\* indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	Staff Assignments	1	Due Dates	
			Previous	Current
L Tan		1. <u>Current CASR revision level</u>		
		2. <u>Testimony &amp; Exhibits - Direct</u>	NONE	05/11/2007
		3. <u>Testimony &amp; Exhibits - Rebuttal</u>	NONE	06/08/2007
		4. <u>Prehearing Statements</u>	NONE	06/14/2007
		5. <u>Prehearing</u>	NONE	06/25/2007
		6. <u>Discovery Actions Complete</u>	NONE	07/05/2007
		7. <u>Hearing</u>	NONE	07/11/2007
		8. <u>Briefs Due</u>	NONE	08/17/2007
Staff Counsel	L Tan	9. <u>Staff Recommendation</u>	NONE	09/13/2007
		10. <u>Agenda</u>	NONE	09/25/2007
		11. <u>Standard Order</u>	NONE	10/15/2007
OCRs (CMP)	D Dowds, F Trueblood	12. <u>Close Docket</u>	NONE	11/30/2007
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_ Commission Panel X  
Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CCA: 04/17/2007

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows: CSRA

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	ED	CT	MM	C1	C2		
			X	X	X		

Prehearing Officer

Commissioners					ADM
ED	CT	MM	C1	C2	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: 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: [Signature]  
Date: 04/17/2007

# Case Scheduling/Rescheduling Advice

Last Revised 06/22/2007 at 11:19 a.m.

**To:**  Commissioner Carter       Deputy Executive Director       Economic Regulation  
 Commissioner McMurrin       General Counsel       Court Reporter  
 Commissioner Argenziano       Strategic Analysis & Gov. Affairs       Staff Contact - Theresa Tan  
 Commissioner Skop       Commission Clerk  
 Executive Director       Competitive Markets/Enforcement  
 Public Information Officer       Reg. Compliance/Consumer Asst.

**From:** Office of Chairman Lisa Edgar

**Docket Number:** 050863-TP -- Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

**1. Schedule Information**

Event	Former Date	New Date	Location / Room	Time
Prehearing Conference	06/25/2007	09/18/2007	Tallahassee / E-148	9:30 a. - 11:00 a.
Hearing	07/11/2007	10/01/2007	Tallahassee / E-148	9:30 a. - 5:00 p.

**2. Hearing/Prehearing Assignment Information**

**Hearing Officers**

Former Assignments					Hearing Exam.	Staff
Commissioners						
ALL	ED	CT	MMAG	SK		
X						

**Current Assignments**

Current Assignments					Hearing Exam.	Staff
Commissioners						
ALL	ED	CT	MMAG	SK		
			X	X	X	

**Prehearing Officer**

Prehearing Officer					
Commissioners					
ED	CT	MMAG	SK	ADM	
			X		

Prehearing Officer					
Commissioners					
ED	CT	MMAG	SK	ADM	
		X			

**Remarks:**

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: **Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.**

Company: **BellSouth Telecommunications, Inc. d  
DPI-Teleconnect, L.L.C.**

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM	CLK	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
		X		X				

("O" indicates OPR)

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff

L Tan

3 Current CASR revision level

Due Dates  
Previous Current

Staff Counsel

L Tan

OCRs (CMP)

D Dowds, F Trueblood

1.	Testimony & Exhibits - Direct	05/11/2007	07/23/2007
2.	Testimony & Exhibits - Rebuttal	06/08/2007	08/20/2007
3.	Prehearing Statements	06/14/2007	09/04/2007
4.	Prehearing	06/25/2007	09/18/2007
5.	Discovery Actions Complete	07/05/2007	09/24/2007
6.	Hearing	07/11/2007	10/01/2007
7.	Briefs Due	08/17/2007	10/15/2007
8.	Close Docket	SAME	11/30/2007
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel   
Hearing Examiner  Staff

Date filed with CLK: 07/10/2007

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

CSRA

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	ED	CT	MM	AG	SK		
			X	X	X		

Prehearing Officer

Commissioners					ADM
ED	CT	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: 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: ED/Am  
Date: 07/10/2007

# Case Scheduling/Rescheduling Advice

Last Revised 09/04/2007 at 8:25 a.m.

**To:**  Commissioner Carter       Deputy Executive Director       Economic Regulation  
 Commissioner McMurrin       General Counsel       Court Reporter  
 Commissioner Argenziano       Strategic Analysis & Gov. Affairs       Staff Contact - Theresa Tan  
 Commissioner Skop       Commission Clerk  
 Executive Director       Competitive Markets/Enforcement  
 Public Information Officer       Reg. Compliance/Consumer Asst.

**From:** Office of Chairman Lisa Edgar

**Docket Number:** 050863-TP -- Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

RECEIVED-PSC  
 07 SEP - 4 AM 8:39  
 COMMISSION  
 CLERK

**1. Schedule Information**

Event	Former Date	New Date	Location / Room	Time
Prehearing Conference		09/18/2007	Tallahassee / E-148	1:30 p. - 3:00 p.

**2. Hearing/Prehearing Assignment Information**

**Former Assignments**

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
X						

**Current Assignments**

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
			X	X	X	

**Prehearing Officer**

Commissioners					
ED	CT	MMAG	SK	ADM	
			X		

Commissioners					
ED	CT	MMAG	SK	ADM	
		X			

**Remarks:**

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM	CLK	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
		X		X				

("O" indicates OPR)

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

L Tan

4 Current CASR revision level

Due Dates  
Previous Current

Staff Counsel

L Tan

OCRs (CMP)

D Dowds, F Trueblood

Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_ Commission Panel X  
Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CLK: 09/04/2007

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

1.	Prehearing Statements	06/14/2007	09/04/2007
2.	Prehearing	06/25/2007	09/18/2007
3.	Discovery Actions Complete	07/05/2007	09/24/2007
4.	Hearing	07/11/2007	10/01/2007
5.	Transcripts Due	NONE	10/08/2007
6.	Briefs Due	08/17/2007	10/15/2007
7.	Close Docket	SAME	11/30/2007
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	ED	CT	MM	AG	SK		
			X	X	X		

Prehearing Officer

Commissioners					ADM
ED	CT	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: 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: ED/Am  
Date: 09/04/2007

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM    CLK    CMP    ECR    (GCL)    PIF    RCA    SCR    SGA

("O" indicates OPR)

		X		X				
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Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	L Tan	5	Current CASR revision level	Due Dates	
				Previous	Current
		1.	Prehearing	06/25/2007	09/18/2007
		2.	Transcript of Prehearing Due	NONE	09/19/2007
		3.	Discovery Actions Complete	07/05/2007	09/24/2007
		4.	Hearing	07/11/2007	10/01/2007
		5.	Transcript of Hearing Due	SAME	10/08/2007
		6.	Briefs Due	08/17/2007	10/15/2007
		7.	Close Docket	SAME	11/30/2007
Staff Counsel	L Tan	8.			
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OCRs (CMP)	D Dowds, F Trueblood	11.			
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_ Commission Panel X  
Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CLK: 09/05/2007

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	ED	CT	MM	AG	SK		
			X	X	X		

Prehearing Officer

Commissioners					ADM
ED	CT	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman:  
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: ED [Signature]  
Date: 09/05/2007

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: **Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.**

Company: **BellSouth Telecommunications, Inc. d  
DPI-Teleconnect, L.L.C.**

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM    CLK    CMP    ECR    (GCL)    PIF    RCA    SCR    SGA

("O" indicates OPR)

		X		X				
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Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff	Staff Assignments	Due Dates	Due Dates	
			Previous	Current
	<u>L Tan</u>	<u>6</u> Current CASR revision level		
		1. <b>Discovery Actions Complete</b>	07/05/2007	09/24/2007
		2. <b>Hearing</b>	07/11/2007	10/01/2007
		3. <b>Transcript of Hearing Due</b>	SAME	10/08/2007
		4. <b>Briefs Due</b>	08/17/2007	10/15/2007
		5. <b>Staff Recommendation</b>	NONE	11/20/2007
		6. <b>Agenda</b>	NONE	12/04/2007
		7. <b>Standard Order</b>	NONE	12/24/2007
Staff Counsel	<u>L Tan</u>	8. <b>Close Docket</b>	11/30/2007	01/31/2008
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OCRs (CMP)	<u>D Dowds, F Trueblood</u>	11.		
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_ Commission Panel X  
Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CLK: 09/17/2007

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	ED	CT	MM	AG	SK		
			X	X	X		

Prehearing Officer

Commissioners					ADM
ED	CT	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman:  
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: ED/bms  
Date: 09/17/2007



Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM	CLK	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
		X		X				

(\*Q\* indicates OPR)

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

L Tan

8 Current CASR revision level

	Due Dates	
	Previous	Current
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Staff Counsel

L Tan

OCRs (CMP)

D Dowds, F Trueblood

Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel  X  
Hearing Examiner  Staff

Date filed with CLK: 10/04/2007

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	ED	CT	MM	AG	SK		
			X	X	X		

Prehearing Officer

Commissioners					ADM
ED	CT	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: 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: ED/aw  
Date: 10/04/2007

# Case Scheduling/Rescheduling Advice

Last Revised 10/05/2007 at 2:14 p.m.

**To:**  Commissioner Carter       Deputy Executive Director       Economic Regulation  
 Commissioner McMurrain       General Counsel       Court Reporter  
 Commissioner Argenziano       Strategic Analysis & Gov. Affairs       Staff Contact - Theresa Tan  
 Commissioner Skop       Commission Clerk  
 Executive Director       Competitive Markets/Enforcement  
 Public Information Officer       Reg. Compliance/Consumer Asst.     

**From:** Office of Chairman Lisa Edgar

**Docket Number:** 050863-TP -- Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

RECEIVED-PSC  
 07 OCT 08 AM 11:20  
 COMMISSION  
 CLERK

**1. Schedule Information**

Event	Former Date	New Date	Location / Room	Time
Hearing	10/01/2007	Cancelled	Tallahassee / E-148	9:30 a. - 5:00 p.

**2. Hearing/Prehearing Assignment Information**

Former Assignments

**Hearing Officers**

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
X						

Current Assignments

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
			X	X	X	

**Prehearing Officer**

Commissioners				
ED	CT	MMAG	SK	ADM
			X	

Commissioners				
ED	CT	MMAG	SK	ADM
		X		

**Remarks:** The 10/01/07 hearing has been continued to a later date (TBA) in recognition of the parties' attempts to negotiate a settlement in this matter.

# Case Scheduling/Rescheduling Advice

Last Revised 10/10/2007 at 1:55 p.m.

**To:**

<input checked="" type="checkbox"/> Commissioner Carter	<input checked="" type="checkbox"/> Deputy Executive Director	<input type="checkbox"/> Economic Regulation
<input checked="" type="checkbox"/> Commissioner McMurrain	<input checked="" type="checkbox"/> General Counsel	<input checked="" type="checkbox"/> Court Reporter
<input checked="" type="checkbox"/> Commissioner Argenziano	<input type="checkbox"/> Strategic Analysis & Gov. Affairs	<input checked="" type="checkbox"/> Staff Contact - Theresa Tan
<input checked="" type="checkbox"/> Commissioner Skop	<input checked="" type="checkbox"/> Commission Clerk	<input type="checkbox"/>
<input checked="" type="checkbox"/> Executive Director	<input checked="" type="checkbox"/> Competitive Markets/Enforcement	<input type="checkbox"/>
<input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Reg. Compliance/Consumer Asst.	<input type="checkbox"/>

RECEIVED-PSC  
 07 OCT 10 PM 2:06  
 COMMISSIONER  
 CLERK

**From:** Office of Chairman Lisa Edgar

**Docket Number:** 050863-TP -- Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

**1. Schedule Information**

Event	Former Date	New Date	Location / Room	Time
Hearing		11/30/2007	Tallahassee / E-148	9:30 a. - 5:00 p.

**2. Hearing/Prehearing Assignment Information**

**Hearing Officers**

Former Assignments

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
X						

Current Assignments

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
			X	X	X	

**Prehearing Officer**

Commissioners				
ED	CT	MMAG	SK	ADM
			X	

Commissioners				
ED	CT	MMAG	SK	ADM
		X		

**Remarks:** OEP PSC-07-0814-PCO-TP, 10/10/07.

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: **Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.**

Company: **BellSouth Telecommunications, Inc. d  
DPI-Teleconnect, L.L.C.**

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM    CLK    CMP    ECR    (GCL)    PIF    RCA    SCR    SGA

("C" indicates OPR)

		X		X				
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Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff	L Tan	9	Current CASR revision level	Due Dates	
				Previous	Current
			1. Discovery Actions Complete	07/05/2007	09/24/2007
			2. Hearing	NONE	11/30/2007
			3. Briefs Due	NONE	12/21/2007
			4. Revised CASR Due	11/15/2007	01/28/2008
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Staff Counsel	L Tan		8.		
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OCRs (CMP)	D Dowds, F Trueblood		11.		
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_ Commission Panel X  
Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CLK: 10/22/2007

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

**CSRA**

Prehearing Officer

Commissioners						Hrg Exam	Staff
ALL	ED	CT	MM	AG	SK		
			X	X	X		

Commissioners					ADM
ED	CT	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman:  
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: ED/HR  
Date: 10/22/2007

# Case Scheduling/Rescheduling Advice

Last Revised 11/13/2007 at 9:47 a.m.

To:  Commissioner Carter       Deputy Executive Director       Economic Regulation  
 Commissioner McMurrain       General Counsel       Court Reporter  
 Commissioner Argenziano       Strategic Analysis & Gov. Affairs       Staff Contact - Theresa Tan  
 Commissioner Skop       Commission Clerk  
 Executive Director       Competitive Markets/Enforcement  
 Public Information Officer       Reg. Compliance/Consumer Asst.     

From: Office of Chairman Lisa Edgar

Docket Number: 050863-TP -- Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications for dispute arising under interconnection agreement.

RECEIVED-FPSC  
 07 NOV 19 AM 9:54  
 COMMISSION CLERK

## 1. Schedule Information

Event	Former Date	New Date	Location / Room	Time
Hearing	11/30/2007	03/12/2008	Tallahassee / E-148	9:30 a. - 5:00 p.

## 2. Hearing/Prehearing Assignment Information

### Former Assignments

**Hearing Officers**

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
X						

### Current Assignments

Commissioners					Hearing Exam.	Staff
ALL	ED	CT	MMAG	SK		
			X	X	X	

**Prehearing Officer**

Commissioners					
ED	CT	MMAG	SK	ADM	
			X		

Commissioners					
ED	CT	MMAG	SK	ADM	
		X			

Remarks:



# Case Scheduling/Rescheduling Advice

Last Revised 02/19/2008 at 8:24 a.m.

**To:**  Commissioner Edgar       Deputy Executive Director       Economic Regulation  
 Commissioner McMurrin       General Counsel       Court Reporter  
 Commissioner Argenziano       Strategic Analysis & Gov. Affairs       Staff Contact - Theresa Tan  
 Commissioner Skop       Commission Clerk  
 Executive Director       Competitive Markets/Enforcement  
 Public Information Officer       Reg. Compliance/Consumer Asst.

**From:** Office of Chairman Matthew Carter

**Docket Number:** 050863-TP -- Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

**1. Schedule Information**

Event	Former Date	New Date	Location / Room	Time
Hearing	03/12/2008	04/03/2008	Tallahassee / E-148	9:30 a. - 5:00 p.

**2. Hearing/Prehearing Assignment Information**

**Former Assignments**

**Hearing Officers**

Commissioners					Hearing Exam.	Staff
ALL	CT	ED	MMAG	SK		
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**Current Assignments**

Commissioners					Hearing Exam.	Staff
ALL	CT	ED	MMAG	SK		
			X	X	X	

**Prehearing Officer**

Commissioners				
CT	ED	MMAG	SK	ADM
			X	

Commissioners				
CT	ED	MMAG	SK	ADM
		X		

**Remarks:**

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_

Expiration: \_\_\_\_\_

Referred to:

ADM	CLK	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
		X		X				

("O" indicates OPR)

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
 IT IS TENTATIVE AND SUBJECT TO REVISION.  
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

L Tan

11 Current CASR revision level

Due Dates

Previous Current

1.	Discovery Actions Complete	07/05/2007	09/24/2007
2.	Hearing	03/12/2008	04/03/2008
3.	Briefs Due	04/03/2008	04/30/2008
4.	Revised CASR Due	01/28/2008	05/05/2008
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Staff Counsel

L Tan

OCRs (CMP)

D Dowds, F Trueblood

Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_ Commission Panel X  
 Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CLK: 02/27/2008

Initials OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

CSRA

Prehearing Officer

Commissioners						Hrg Exam	Staff
ALL	CT	ED	MM	AG	SK		
			X	X	X		

Commissioners					ADM
CT	ED	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: 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: CT / [Signature]  
 Date: 02/27/2008

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.  
 Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM	CLK	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
		X		X				

(\*C) indicates OPR

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
 IT IS TENTATIVE AND SUBJECT TO REVISION.  
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

L Tan

12 Current CASR revision level

Due Dates  
 Previous Current

Staff Counsel

L Tan

OCRs (CMP)

D Dowds, F Trueblood

1.	Discovery Actions Complete	07/05/2007	09/24/2007
2.	Briefs Due	04/03/2008	04/30/2008
3.	Staff Recommendation	SAME	06/05/2008
4.	Agenda	SAME	06/17/2008
5.	Standard Order	SAME	07/07/2008
6.	Revised CASR Due	05/05/2008	07/21/2008
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Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_ Commission Panel X  
 Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CLK: 04/14/2008

Initials OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	CT	ED	MM	AG	SK		
			X	X	X		

Prehearing Officer

Commissioners					ADM
CT	ED	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: 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: 04/14/2008

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM	CLK	CMP	ECR	(GCL)	PIF	RCA	SCR	SGA
		X		X				

(\*O) indicates OPR

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

L Tan

13 Current CASR revision level

Due Dates  
Previous Current

Staff Counsel

L Tan

OCRs (CMP)

D Dowds, F Trueblood

1.	Discovery Actions Complete	07/05/2007	09/24/2007
2.	Staff Recommendation	06/05/2008	06/19/2008
3.	Agenda	06/17/2008	07/01/2008
4.	Standard Order	07/07/2008	07/21/2008
5.	Revised CASR Due	07/21/2008	08/01/2008
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel   
Hearing Examiner  Staff

Date filed with CLK: 06/05/2008

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	CT	ED	MM	AG	SK		
			X	X	X		

Prehearing Officer

Commissioners					ADM
CT	ED	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: 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: CT/hrs  
Date: Pending 6/11/08

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM CLK CMP ECR (GCL) PIF RCA SCR SGA

("O" indicates OPR)

		X		X				
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Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

L Tan

14 Current CASR revision level

Due Dates  
Previous Current

1.	Discovery Actions Complete	07/05/2007	09/24/2007
2.	Staff Recommendation	06/19/2008	07/17/2008
3.	Agenda	07/01/2008	07/29/2008
4.	Standard Order	07/21/2008	08/18/2008
5.	Revised CASR Due	08/01/2008	09/18/2008
6.			
7.			

Staff Counsel

L Tan

8.

OCRs (CMP)

D Dowds, F Trueblood

11.

Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_ Commission Panel X  
Hearing Examiner \_\_\_ Staff \_\_\_

Date filed with CLK: 06/20/2008

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	CT	ED	MM	AG	SK		
			X	X	X		

Prehearing Officer

Commissioners					ADM
CT	ED	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: 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: Pending

CT/hrs  
6/30/08

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.

Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_

Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

ADM CLK ECR (GCL) PIF RCP SGA SSC

(“C”) indicates OPR

			X		X		
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Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

L Tan

Current CASR revision level

Due Dates  
Previous Current

Staff Counsel

L Tan

OCRs (RCP)

D Dowds, F Trueblood

1.	Discovery Actions Complete	07/05/2007	09/24/2007
2.	Staff Recommendation	07/17/2008	08/07/2008
3.	Agenda	07/29/2008	08/19/2008
4.	Standard Order	08/18/2008	09/08/2008
5.	Revised CASR Due	09/18/2008	09/19/2008
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel   
Hearing Examiner  Staff

Date filed with CLK: 07/14/2008

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	CT	ED	MM	AG	SK		
			X	X	X		

Prehearing Officer

Commissioners					ADM
CT	ED	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman:  
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: [Signature]  
Date: Pending 7/25/08

Section 1 - Office of Commission Clerk

Docket No. 050863-TP Date Docketed: 11/10/2005 Title: Complaint by DPI-Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement.  
 Company: BellSouth Telecommunications, Inc. d DPI-Teleconnect, L.L.C.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_

ADM	CLK	ECR	(GCL)	PIF	RCP	SGA	SSC
			X		X		

Section 2 - OPR Completes and returns to CLK in 10 workdays.

Time Schedule

Program Module A20(e)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
 IT IS TENTATIVE AND SUBJECT TO REVISION.  
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	L Tan	15	Current CASR revision level		Due Dates	
			Previous	Current	Previous	Current
			1.	Discovery Actions Complete	07/05/2007	09/24/2007
			2.	Agenda	08/19/2008	09/04/2008
			3.	Standard Order	09/08/2008	09/24/2008
			4.	Revised CASR Due	09/19/2008	11/03/2008
			5.			
			6.			
			7.			
Staff Counsel	L Tan		8.			
			9.			
			10.			
OCRs (RCP)	F Trueblood		11.			
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			30.			
Recommended assignments for hearing and/or deciding this case:			31.			
			32.			
Full Commission <input type="checkbox"/> Commission Panel <input checked="" type="checkbox"/>			33.			
Hearing Examiner <input type="checkbox"/> Staff <input type="checkbox"/>			34.			
			35.			
Date filed with CLK: <u>07/14/2008</u>			36.			
			37.			
Initials OPR _____			38.			
Staff Counsel _____			39.			
			40.			

Section 3 - Chairman Completes

Assignments are as follows:

*AG cancelled (8/19/08)*  
 Prehearing Officer

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	CT	ED	MM	AG	SK		
			X	X	X		

Commissioners					ADM
CT	ED	MM	AG	SK	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: 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: CT/Trueblood  
 Date: 07/25/2008

050863-TP

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
LISA POLAK EDGAR  
ISILIO ARRIAGA



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

# Public Service Commission

November 14, 2005

Jennifer L. Gunter, CP  
Foster Malish Blair & Cowan, L.L.P.  
1403 West Sixth Street  
Austin, Texas 78703

FPSC, CLK - CORRESPONDENCE  
 Administrative  Parties  Consumer  
DOCUMENT NO. 09654-07  
DISTRIBUTION: \_\_\_\_\_

**Re: Docket No. 050863-TP**

Dear Ms. Gunter:

This will acknowledge receipt of a complaint by dPi Teleconnect, L.L.C. against BellSouth Telecommunications, Inc. for dispute arising under interconnection agreement, was filed in this office on November 10, 2005, 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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