

**Ruth Nettles**

**From:** Smith, Debbie N. [ds3504@att.com]  
**Sent:** Thursday, November 01, 2007 11:09 AM  
**To:** Filings@psc.state.fl.us  
**Cc:** Carver, J; Gurdian, Manuel; Woods, Vickie; Eller, Perry; Bixler, Micheale; Holland, Robyn P; Follensbee, Greg  
**Subject:** Florida Docket No. 050863-TP  
**Importance:** High  
**Attachments:** status-report.pdf

- A. Debbie N. Smith  
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[debbie.n.smith@att.com](mailto:debbie.n.smith@att.com)
- B. Docket No. 050863-TP: dPi Teleconnect, L.L.C. v. BellSouth Telecommunications, Inc.
- C. BellSouth Telecommunications, Inc.  
on behalf of J. Phillip Carver
- D. 5 pages total (includes letter, certificate of service and pleading)
- E. BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Report on the Status of Settlement Negotiations

<<status-report.pdf>>

Debbie N. Smith (sent on behalf of J. Phillip Carver)  
Assistant to J. Phillip Carver,  
Stephen L. Earnest and John T. Tyler  
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Please note my new email address is [debbie.n.smith@att.com](mailto:debbie.n.smith@att.com)

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DOCUMENT NUMBER DATE

09939 NOV-1 2007

11/1/2007

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November 1, 2007

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

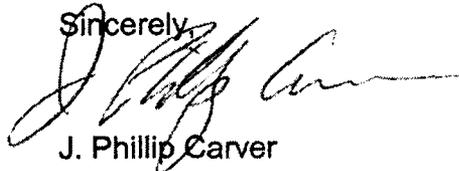
**Re: Docket No. 050863-TP: dPI Teleconnect, L.L.C. v. BellSouth  
Telecommunications, Inc.**

Dear Ms. Cole:

Enclosed is AT&T Florida's Report on the Status of Settlement Negotiations,  
which we ask that you file in the captioned docket.

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

Sincerely,



J. Phillip Carver

cc: All parties of record  
Chris Malish  
Jerry Hendrix  
E. Earl Edenfield, Jr.  
Lisa S. Foshee

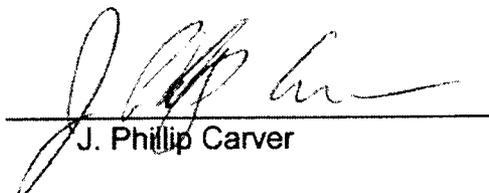
**CERTIFICATE OF SERVICE  
DOCKET NO. 050863-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and First Class U. S. Mail this 1st day of November, 2007 to the following:

Theresa Tan  
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Florida Public Service  
Commission  
Division of Legal Services  
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[ddorwart@dpiteleconnect.com](mailto:ddorwart@dpiteleconnect.com)



J. Phillip Carver

**(+) Signed Protective Agreement**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint by dPi Teleconnect, L.L.C. ) Docket No.: 050863-TP  
Against BellSouth Telecommunications, Inc. )  
For dispute arising under interconnection )  
Agreement ) Filed November 1, 2007  
\_\_\_\_\_ )

**AT&T FLORIDA'S REPORT ON THE STATUS OF  
SETTLEMENT NEGOTIATIONS**

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida"), hereby files its Report on the Status of Settlement Negotiations, and states the following:

1. On October 10, 2007, the Florida Public Service Commission ("Commission) issued the *Order Granting Emergency Joint Motion for Continuance and Second Order Modifying Procedure* ("Order"), Order No. PSC-07-0814-PCO-TP. This Order directed the parties to file either jointly or separately a report regarding the status of settlement negotiations by November 1, 2007. AT&T Florida states the following in response to that directive.

2. AT&T Florida contacted dPi in early October 2007 to initiate settlement negotiations. Since then, the parties have negotiated, and continue to do so. Specifically, AT&T Florida made its most recent settlement offer on October 31, 2007, and is awaiting dPi's response. Although the parties continue to negotiate, it is not possible to predict at this time whether a settlement will ultimately be reached. Accordingly, AT&T believes that a hearing in this matter may well be necessary.

DOCUMENT NUMBER DATE

09939 NOV-15

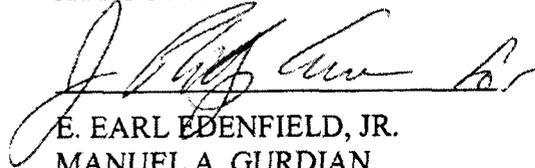
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3. The *Order* set a revised hearing date in this matter of November 30, 2007. Unfortunately, AT&T Florida's sole witness, Pam Tipton, is unavailable on this date. Therefore, if the Commission goes forward with the hearing on this date, it will be necessary for AT&T Florida to substitute another witness to adopt the testimony of Ms. Tipton, and to be available for cross examination in her absence. At this point, Ms. Tipton has been involved in this case for over two years, and has overseen the preparation of the analysis that appears in, and forms the basis of, her testimony. Given this, AT&T Florida submits that the better alternative is to postpone the hearing for a short period of time so that Ms. Tipton may testify (assuming that a hearing will be necessary). Within the weeks shortly after the currently scheduled hearing date, AT&T Florida's witness and its counsel are available the following dates: December 3 – 7, 2007, December 17 - 21, 2007, and January 7 – 11, 2008. The requested brief delay would, of course, also give the parties additional time to try to negotiate a settlement.

WHEREFORE, AT&T Florida respectfully requests that the Commission reschedule the hearing in this matter for a date during one of the three weeks designated above, or at such later time as may comport with the Commission's schedule.

Respectfully submitted this 1st day of November 2007.

AT&T FLORIDA



E. EARL EDENFIELD, JR.

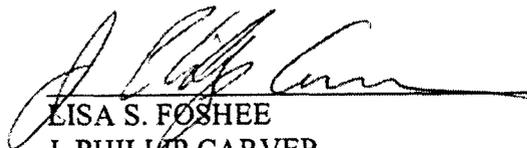
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c/o Nancy H. Sims

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