

11/1/2007 3:58 PM

Office of Commission Clerk Official Filing

Ruth Nettles

From: Jennifer Washington [jennifer@fostermalish.com]
Sent: Thursday, November 01, 2007 4:44 PM
To: Filings@psc.state.fl.us
Cc: pc0755@att.com; mg2708@att.com; Lee Eng Tan; Frank Trueblood; Malish, Chris; Steven Tepera
Subject: Docket No. 050863-TP; dPi Teleconnect v. BellSouth - dPi's Status Report Regarding Settlement Negotiations

Attachments: status report.wpd; status report.pdf



status
port.wpd (13 Kb) status
port.pdf (50 KB)

Please file dPi's Status Report Regarding Settlement Negotiations and let me know if you need anything else. Thank you.

- A. Jennifer L. Washington, CP
Paralegal
Foster Malish Blair & Cowan, LLP
1403 West Sixth Street
Austin, TX 78703
(512) 476-8591
(512) 477-8657/fax
jennifer@fostermalish.com
- B. dPi Teleconnect, LLC v. BellSouth Telecommunications, Inc. - Docket No. 050863-TP
- C. dPi Teleconnect, LLC
- D. 2 pages including certificate of service
- E. dPi's Status Report Regarding Settlement Negotiations

<<status report.wpd>> <<status report.pdf>>

Jennifer L. Washington, CP
Paralegal
Foster Malish Blair & Cowan, LLP
1403 West Sixth Street
Austin, TX 78703
(512) 476-8591
(512) 477-8657/fax
jennifer@fostermalish.com

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please immediately notify me at (512) 476-8591 and permanently delete the original and any copy of any e-mail and any printout thereof.

DOCUMENT NUMBER DATE

09978 NOV-15

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re:) DOCKET NO. 050863-TP
)
dPi Teleconnect, L.L.C. v.)
BellSouth Telecommunications, Inc.)

dPi's STATUS REPORT REGARDING SETTLEMENT NEGOTIATIONS

1. Since the hearing in this case originally scheduled for October 1 was continued, the parties have engaged in a number of conversations regarding settlement, and dPi can report positive movement and what appears to be good faith attempts to address the case – much more so than at any time in the past two years that this dispute has been pending. However, the parties have not come to any agreement on a disposition of the case, and may not be able to do so. It would be unwise to assume that a settlement will in fact take place, and the parties and Commission should plan as though a hearing will be necessary. dPi will continue to communicate with BellSouth about compromise until there is either a settlement or an obvious impasse.

Respectfully Submitted,

FOSTER MALISH BLAIR & COWAN, LLP

/s/ Chris Malish
Chris Malish
Texas Bar No. 00791164
chrismalish@fostermalish.com
Steven Tepera
Texas Bar No. 24053510
stepera@fostermalish.com
1403 West Sixth Street
Austin, Texas 78703
Phone: (512) 476-8591
Fax: (512) 477-8657

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the above instrument was transmitted to Counsel for Defendants at the below address via electronic mail and first class mail on November 1, 2007.

/s/ Chris Malish

Chris Malish

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

Via First-Class Mail
Via Electronic Mail: pc0755@att.com

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

Via First-Class Mail
Via Electronic Mail: mg2708@att.com

Lee Eng Tan, Staff Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Via First-Class Mail
Via Electronic Mail: ltan@psc.state.fl.us