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January 28, 2008

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

RECEIVED-FPSC
08 JAN 28 PM 4:31
HAND DELIVERY
COMMISSION
CLERK

Re: Docket No. 070408-TP

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket on behalf of Level 3 Communications, LLC ("Level 3") are the following documents:

1. Original and fifteen copies of Level 3's Motion for Expedited Responses to Discovery Requests; and
2. Original and one copy of Level 3's Notice of Service of First Set of Requests for Production of Documents (Nos. 1-3) and First Set of Interrogatories (Nos. 1-11) on Neutral Tandem, Inc. and Neutral Tandem-Florida, LLC.

Please acknowledge receipt of these documents by stamping the extra copy of this letter filed and returning the copy to me. Thank you for your assistance with this filing.

Sincerely,

Kenneth A. Hoffman
Kenneth A. Hoffman

Enclosures

cc: All Parties of Record

level3\neutraltandem\cole.january2808ltr

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Neutral Tandem, Inc. and)
Neutral Tandem-Florida, LLC for)
Resolution of Interconnection Dispute with)
Level 3 Communications, LLC, and)
Request for Expedited Resolution.)
_____)

Docket No. 070408-TP

Filed: January 28, 2008

**LEVEL 3 COMMUNICATIONS, LLC'S
MOTION FOR EXPEDITED
RESPONSES TO DISCOVERY REQUEST**

Level 3 Communications, LLC (“Level 3”), by and through its undersigned counsel, and pursuant to Rule 28-106.204, Florida Administrative Code, hereby requests the Prehearing Officer to enter an Order requiring Neutral Tandem, Inc. and Neutral Tandem-Florida, LLC (hereinafter referred to collectively as “Neutral Tandem”) to respond to Level 3’s First Set of Interrogatories (Nos. 1-11) and First Set of Requests for Production of Documents (Nos. 1-3) on an expedited basis, specifically, within fourteen (14) days of service of such discovery request. In support of this Motion, Level 3 states as follows:

1. On December 26, 2007, the Commission Staff issued a Revised Staff Recommendation addressing Level 3’s Motion to Dismiss Neutral Tandem’s Petition. The Staff recommended that the Commission determine that it has jurisdiction over Neutral Tandem’s Petition and that Neutral Tandem lacks standing to bring this action under Section 364.16(2), Florida Statutes.

2. At the January 8, 2008 Agenda Conference, the Commission heard argument on Level 3’s Motion to Dismiss. The Commission ruled that it has subject matter jurisdiction to consider Neutral Tandem’s Petition. The Commission also determined that Neutral Tandem may have standing to bring its action requesting a Commission order mandating direct interconnection

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between Level 3 and Neutral Tandem pursuant to Sections 364.16(2) and 364.162, Florida Statutes.

3. The basis for the Commission's ruling that Neutral Tandem may have standing to bring this action was a statement made by counsel at the Agenda Conference that Neutral Tandem has "911 connectivity." Neutral Tandem had never made any such allegation in any of the three Petitions it had filed with the Commission dating back to February 26, 2007.

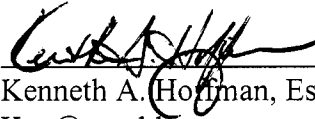
4. Level 3 seeks to bring the issue regarding Neutral Tandem's standing back before the Commission as soon as possible. Therefore, Level 3 has served limited discovery on Neutral Tandem addressing the allegation of 911 connectivity. These discovery requests are contained in Level 3's First Set of Interrogatories (Nos. 1-11) and First Set of Requests for Production of Documents (Nos. 1-3) served on Neutral Tandem on this date, January 28, 2008.

5. Level 3 continues to be harmed by the procedural tactics employed by Neutral Tandem in this proceeding which have been discussed in detail in prior pleadings. Level 3 is attempting to mitigate this harm by the filing of a Motion for Interim Compensation Pending Final Agency Action. In the meantime, Level 3 desires to bring the issue of standing back before the Commission as soon as possible. The discovery requests served by Level 3 on this date are limited to Neutral Tandem's allegation that it provides 911 connectivity in Florida and there are only 14 such discovery requests in total. Under the circumstances, and in light of the limited nature and number of the discovery requests, Level 3 maintains that it is appropriate to require Neutral Tandem to respond to these discovery requests within fourteen days of service of same.

WHEREFORE, for the foregoing reasons, Level 3 respectfully requests that the Prehearing Officer enter an Order granting this Motion and requiring Neutral Tandem to respond

to Level 3's First Set of Interrogatories and First Set of Requests for Production of Documents on or before February 11, 2008.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by Electronic Mail and U. S. Mail on January 28, 2008 to the following:

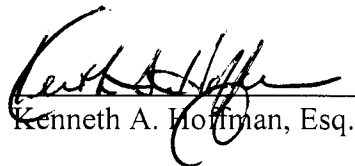
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