

Ruth Nettles

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Sent: Wednesday, April 02, 2008 4:14 PM
To: Filings@psc.state.fl.us
Cc: Carver, J; Gurdian, Manuel; Tracy Hatch; Woods, Vickie; Holland, Robyn P; Follensbee, Greg; Eller, Perry
Subject: Florida Docket No. 050863-TP
Importance: High
Attachments: response1.pdf

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- B. Docket No. 050863-TP: dPi Teleconnect, L.L.C. v. BellSouth Telecommunications, Inc.
- C. BellSouth Telecommunications, Inc.
on behalf of J. Phillip Carver
- D. 4 pages total (includes letter, pleading and certificate of service)
- E. BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Response in Opposition to Request for Oral Argument.

<<response1.pdf>>

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4/2/2008



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April 2, 2008

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 BellSouth Telecommunications, Inc. d/b/a AT&T Florida's
Response in Opposition to Request for Oral Argument, 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
Gregory Follensbee
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 2nd day of April, 2008 to the following:

Theresa Tan
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J. Phillip Carver

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

) Docket No. 050863-TP
)
)

Filed: April 2, 2008

**AT&T FLORIDA'S RESPONSE IN OPPOSITION TO
REQUEST FOR ORAL ARGUMENT**

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida") submits this Response in Opposition to dPi Teleconnect, L.L.C.'s ("dPi") Request for Oral Argument ("Request"). In response, AT&T Florida requests that the Florida Public Service Commission ("Commission") deny dPi's Request. In support of this Response in Opposition, AT&T Florida states the following:

1. dPi's Request seeks oral argument on dPi's Motion for Reconsideration of the Prehearing Officer's decision to deny dPi's Motion for Leave to File Supplemental Testimony and Additional Direct Testimony. For the reasons set forth in AT&T Florida's Response in Opposition to dPi's Motion for Leave to File Supplemental Testimony and Additional Direct Testimony, the Commission should deny dPi's Motion as it fails to show valid grounds for reconsideration.

2. Pursuant to Rule 25-22.0022(1), Florida Administrative Code, the "request for oral argument shall state with particularity why oral argument would aid the Commissioners, the Prehearing Officer, or the Commissioner appointed by the Chair to conduct a hearing in understanding and evaluating the issues to be decided, and the amount of time requested for oral argument."

3. dPi's Request does not state "with particularity why oral argument would aid... in understanding and evaluating the issues to be decided". dPi's reasoning that only the Prehearing Officer has reviewed its Motion, that oral argument would allow the

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parties an opportunity to summarize their positions for the panel, and that it would be helpful due to the short time between the submission of the motion and the hearing, are insufficient reasons for the Commission to grant oral argument on dPi's Motion.

4. Moreover, dP fails to request an amount of time for the oral argument as required by Rule 25-22.0022(1), Florida Administrative Code.

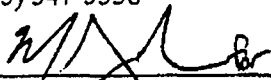
WHEREFORE, based upon the foregoing, AT&T Florida respectfully requests that the Commission deny dPi's Request for Oral Argument.

Respectfully submitted this 2nd day of April, 2008.

AT&T FLORIDA



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