

Ruth Nettles

From: staceyk@vcicompany.com
Sent: Friday, May 09, 2008 3:11 PM
To: Filings@psc.state.fl.us
Cc: Lee Eng Tan; Adam Teitzman; Beth Salak; Beth Keating
Subject: Vilaire Communications, Inc. Responses to Staff's Discovery Requests
Attachments: Vilaire Communications, Inc.'s Response to Staff's Discovery Requests 5.9.08.pdf

DOCUMENT NUMBER-DATE
03897 MAY-08
FPSC-COMMISSION CLERK

**VCI
Company**

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Via Electronic Mail

May 9, 2008

Ms. Ann Cole, Clerk of the Commission
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399

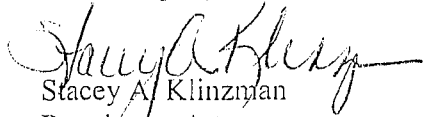
Re: Docket No. 080065-TX - Response to Staff's Discovery Requests

Dear Ms. Cole:

The additional information Staff seeks by its discovery requests is integrally related to the jurisdictional question presented to the Florida Public Service Commission ("Commission") in Vilaire's Motion to Dismiss for Lack of Subject Matter Jurisdiction, filed with the Commission on Monday, May 5, 2008, and ultimately, subject to federal review. Absent a decision on its motion, Vilaire is intent on preserving the issue of the Commission's jurisdiction for judicial review and is unwilling to waive its objections by providing further discovery. Vilaire believes that the Commission is without jurisdiction in this matter and, therefore, was without authority to compel discovery. Consequently, the Commission's discovery ruling was an invalid exercise of authority. Under these circumstances, Vilaire must respectfully decline to provide the information sought.

Sincerely,

VCI Company


Stacey A. Klinzman
Regulatory Attorney

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Response to Staff's Discovery Requests has been served via Electronic Mail* to the persons listed below this 9th day of May, 2008:

Lee Eng Tan, Senior Attorney* Florida Public Service Commission Office of the General Counsel 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 LTan@psc.state.fl.us	Beth Salak, Director/Competitive Markets and Enforcement* 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 bsalak@psc.state.fl.us
Adam Teitzman, Supervising Attorney* Florida Public Service Commission Office of the General Counsel 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 ateitzma@psc.state.fl.us	

By: 
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