

Ruth Nettles

From: Woods, Vickie [vf1979@att.com]
Sent: Thursday, July 30, 2009 12:41 PM
To: Filings@psc.state.fl.us
Subject: 090142-TP AT&T Communications and AT&T Florida's Fourth Unopposed Motion for Extension of Time to Respond to Amended Complaint
Importance: High
Attachments: Document.pdf

A. Vickie Woods
Legal Secretary to E. Earl Edenfield, Jr., Tracy W. Hatch,
and Manuel A. Gurdian,
BellSouth Telecommunications, Inc. d/b/a AT&T Florida
150 South Monroe Street, Rm. 400
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(305) 347-5560
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B. Docket No. 090142-TP:

Complaint of Cbeyond Communications, LLC Against AT&T Communications of the Southern States, LLC d/b/a AT&T and AT&T Florida for failure to pay intrastate access charges pursuant to Cbeyond's Price List and interconnection Agreement and for violation of Section 364.16(3)(a), Florida Statutes

C. BellSouth Telecommunications, Inc.
on behalf of Manuel A. Gurdian

D. 5 pages total in PDF format (includes letter, certificate and pleading)

E. AT&T Communications and AT&T Florida's *Fourth* Unopposed Motion for Extension of Time to Respond to Amended Complaint

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7/30/2009

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July 30, 2009

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

**Re: Docket No. 090142-TP:
Complaint of Cbeyond Communications, LLC Against AT&T
Communications of the Southern States, LLC d/b/a AT&T and
AT&T Florida for failure to pay intrastate access charges
pursuant to Cbeyond's Price List and interconnection Agreement
and for violation of Section 364.16(3)(a), Florida Statutes**

Dear Ms. Cole:

Enclosed is AT&T Communications of the Southern States, LLC and BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Fourth Unopposed Motion for Extension of Time to Respond to Amended Complaint, 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,

Manuel A. Gurdian

cc: All parties of record
Jerry Hendrix
Gregory R. Follensbee
E. Earl Edenfield, Jr.

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CERTIFICATE OF SERVICE
Docket No. 090142-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 30th day of July, 2009 to the following:

Charles Murphy
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
cmurphy@psc.state.fl.us

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Mandel A. Gurdian

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Cbeyond) Docket No. 090142-TP
Communications, LLC against AT&T)
Communications of the Southern States, LLC)
and AT&T Florida for alleged failure to pay)
intrastate access charges pursuant to Cbeyond's)
Price List and interconnection agreement)
and for alleged violation of Section 364.16(3)(a),)
Florida Statutes) Filed: July 30, 2009

FOURTH UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO AMENDED COMPLAINT

AT&T Communications of the Southern States, LLC ("AT&T Communications") and BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida"), pursuant to Rule 28-106.204, Florida Administrative Code, hereby file this Fourth Unopposed Motion for Extension of Time to Respond to the Amended Complaint. As grounds therefor, AT&T Communications and AT&T Florida state as follows:

1. On March 19, 2009, Cbeyond filed a Complaint in this case.
2. On April 1, 2009, Cbeyond filed an Amended Complaint in which it added AT&T Communications as a Respondent in this proceeding.
3. On April 9, 2009, the Florida Public Service Commission ("Commission") entered Order No. PSC-09-0212-PCO-TP granting a Joint Motion for Extension of Time to Respond to Amended Complaint and to any Required Responsive Pleading. Pursuant to this order, AT&T Communications and AT&T Florida were to respond to the Amended Complaint by May 1, 2009.
4. On May 8, 2009, the Commission entered Order No. PSC-09-0319-PCO-TP granting AT&T Communications and AT&T Florida's Unopposed Motion for Extension of Time to Respond to Amended Complaint. Pursuant to this order, AT&T

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Communications and AT&T Florida were to respond to the Amended Complaint by June 1, 2009.

5. On June 2, 2009, the Commission entered Order No. PSC-09-0391-PCO-TP granting AT&T Communications and AT&T Florida's Second Unopposed Motion for Extension of Time to Respond to Amended Complaint. Pursuant to this order, AT&T Communications and AT&T Florida were to respond to the Amended Complaint by July 1, 2009.

6. On July 2, 2009, the Commission entered Order No. PSC-09-0476-PCO-TP granting AT&T Communications and AT&T Florida's Third Unopposed Motion for Extension of Time to Respond to Amended Complaint. Pursuant to this order, AT&T Communications and AT&T Florida were to respond to the Amended Complaint by August 1, 2009.

7. The parties are in the process of drafting and negotiating the required documentation to resolve the matter without the need of further Commission intervention.

8. Cbeyond Communications, LLC, is unopposed to the requested extension.

WHEREFORE, for the foregoing reasons, AT&T Florida and AT&T Communications request that the Prehearing Officer grant this motion extending the due date of AT&T Communications and AT&T Florida's response to the Amended Complaint to September 1, 2009.

Respectfully submitted this 30th day of July, 2009.

AT&T FLORIDA AND AT&T
COMMUNICATIONS OF THE SOUTHERN
STATES, LLC



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