

**Ruth Nettles**

090538-TP

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**Sent:** Tuesday, December 22, 2009 10:01 AM  
**To:** Filings@psc.state.fl.us  
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**Subject:** Docket No. 090538-TP  
**Attachments:** Broadwing.Motion for Extension.12.22.2009.pdf

**The full name, address, telephone number, and e-mail address of the person responsible for the electronic filing:**

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**The docket number and title of docket:**

Docket No. 090538-TP  
In re: Complaint of Qwest Communications Company, LLC against MCImetro Access Transmission Services (d/b/a Verizon Access Transmission Services); XO Communications Services, Inc.; tw telecom of florida, l.p.; Granite Telecommunications, LLC; Cox Florida Telcom, L.P.; Broadwing Communications, LLC; and John Does 1 through 50 (CLEC's whose true names are currently unknown) for rate discrimination in connection with the provision of intrastate switched access services in alleged violation of Sections 364.08 and 364.10, F.S.

**The name of the party on whose behalf the document is filed:**

Broadwing Communications, LLC

**The total number of pages in the attached document: 3**

**A brief but complete description of each attached document:**

Agreed Motion for Extension of Time to Respond to Complaint

**Marsha E. Rule, Esq.**  
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DOCUMENT NUMBER - DATE

12167 DEC 22 8

12/22/2009

FPSC-COMMISSION OFFICE

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Complaint of Qwest Communications )  
Company, LLC against MCImetro Access )  
Transmission Services (d/b/a Verizon )  
Access Transmission Services; XO )  
Communications Services, Inc.; tw telecom )  
of florida, l.p.; Granite Telecommunications, )  
LLC, Cox Florida Telcom, L.P.; Broadwing )  
Communications, LLC; and John Does 1 )  
through 50 (CLEC's whose true names are )  
currently unknown) for rate discrimination )  
connection with the provision of intrastate )  
switched access services in alleged of )  
Sections 364.08 and 364.10, F.S. )  
\_\_\_\_\_ )

Docket No. 090538-TP

Filed: December 22, 2009

**AGREED MOTION FOR EXTENSION OF TIME  
TO RESPOND TO COMPLAINT**

Pursuant to Rule 28-106.204, Florida Administrative Code, Broadwing Communications, LLC, ("Broadwing"), by and through counsel and on behalf of XO Communications Services, Inc.; tw telecom of florida, l.p.; Granite Telecommunications, LLC; and Cox Florida Telcom, L.P.; hereby requests the Florida Public Service Commission to grant an agreed extension of time to respond to Qwest Communications Company, LLC's ("Qwest") Complaint in the above-filed docket. In support, Broadwing states as follows:

1. Qwest filed its complaint on December 11, 2009. On December 15, 2009, the Clerk of the Commission served the complaint on named respondents by certified mail.

2. Qwest's complaint appears to raise issues of first impression in Florida, and will require investigation by respondents in order to properly prepare an answer or motion to dismiss. Due to the upcoming holidays and previously-scheduled vacations,

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FPSC-COMMISSION CLERK

the above-referenced parties seek an extension of time for all respondents to investigate and respond to the complaint.

3. Pursuant to Rule 28-106.204, Florida Administrative Code, Broadwing contacted Qwest on behalf of the above-referenced parties and is authorized to represent that Qwest has agreed on an extension of time through January 29, 2010, for all parties to respond to Qwest's Complaint. Counsel for Broadwing conferred with counsel for MCImetroAccess Transmission Services, LLC, d/b/a Verizon Access Transmission Services ("Verizon") and states that Verizon has no objection to this motion.

4. This Motion for Extension of Time is made in good faith, and the short extension requested will not unduly delay this proceeding. There are currently no events scheduled in this docket.

**WHEREFORE**, Broadwing requests the Commission to approve the parties' agreement and grant extension of time through and until January 29, 2010, for all respondents to answer or otherwise respond to Qwest's Complaint.

Respectfully submitted this 22<sup>nd</sup> day of December, 2009.

*/s/ Marsha E. Rule*

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the forgoing has been furnished by U.S. Mail and email to the following this 22<sup>nd</sup> day of December, 2009:

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*/s/ Marsha E. Rule*

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