

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: February 17, 2010
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Kiwanis L. Curry, Regulatory Analyst II, Division of Regulatory Analysis *KLC*
RE: Docket No. 100039-TL- Petition to Terminate Service Guarantee Plan, by
Windstream Florida, Inc.

Please add the attached email to the docket file.

DOCUMENT NUMBER-DATE

01058 FEB 17 2010

FPSC-COMMISSION CLERK

Ray Kennedy

From: Willis, Bettye J [Bettye.J.Willis@windstream.com]
Sent: Wednesday, February 17, 2010 9:00 AM
To: Ray Kennedy; jwahlen@ausley.com; White, James
Subject: Re: Follow-up to Windstream Florida, Inc.'s Response to Staff's Data Request No. 1 (Nos. 1-8)

Ray as we discussed on the phone the service rules will apply to all of the lines Windstream reports. Also I agree with your assessment of the responses which we also discussed.

Bettye Willis
Sent from My Blackberry

----- Original Message -----
From: Ray Kennedy <RKennedy@psc.state.fl.us>
To: Jeff Wahlen <jwahlen@ausley.com>
Cc: Willis, Bettye J
Sent: Tue Feb 16 13:20:12 2010
Subject: RE: Follow-up to Windstream Florida, Inc.'s Response to Staff's Data Request No. 1 (Nos. 1-8)

Thank you. In addition, I need to clarify one more thing. In Item 3 below, I also need Windstream's understanding and confirmation that the service quality rules are enforceable on all lines Windstream reports to the Commission. I suspect that is understood, but just need to make sure we are all on the same page.

Ray Kennedy
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Phone: 850-413-6584
Fax: 850-413-6585
E-Mail: rkennedy@psc.state.fl.us

-----Original Message-----
From: Jeff Wahlen [mailto:jwahlen@ausley.com]
Sent: Tuesday, February 16, 2010 2:16 PM
To: Ray Kennedy
Subject: RE: Follow-up to Windstream Florida, Inc.'s Response to Staff's Data Request No. 1 (Nos. 1-8)

Got it. I will check with Bettye.

J. Jeffry Wahlen
Ausley & McMullen
123 South Calhoun
P. O. Box 391 (32302)
Tallahassee, FL 32301
850.425.5471 (direct)
850.558.1315 (fax)
850.556.0357 (cell)

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DOCUMENT NUMBER-DATE

01058 FEB 17 2010

FPSC-COMMISSION CLERK

>>> "Ray Kennedy" <RKennedy@PSC.STATE.FL.US> 2/16/2010 1:54 PM >>>
Good Afternoon Jeff,

I am not convinced that I got this e-mail out of our computer because of the large files attached. So I am sending it again. Please let me know if you got this one.

Thank you,

Ray Kennedy
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Phone: 850-413-6584
Fax: 850-413-6585
E-Mail: rkennedy@psc.state.fl.us

From: Ray Kennedy
Sent: Tuesday, February 16, 2010 11:17 AM
To: 'bettye.j.willis@windstream.com'
Cc: 'jwahlen@ausley.com'; Kiwanis Curry
Subject: Follow-up to Windstream Florida, Inc.'s Response to Staff's Data Request No. 1 (Nos. 1-8)

Good Morning Ms. Willis,

Staff is seeking clarification to Windstream's response. The clarifications generally relate to the table in which services were identified as SQR Eligible or not.

1. Rationale Labels: Windstream identified a Rationale Label C, but failed to mark any services in the table with this Rationale Label. In reviewing the table, Item 1. "User-ordered third party product submitted by a clearinghouse and billed via the LEC", no Rationale Label was identified. Was this item supposed to have been identified as Rationale Label C?

2. Rationale Label D states: "The service added is a nonbasic service." Windstream has identified several items in the table with Rationale Label D and has indicated SQR Eligible as Y, meaning that they are all SQR Eligible. Do you agree that for a complete definition of Rationale Label D, it should have read as "The service added is a nonbasic service, resulting in the line being classified as nonbasic. However, for purposes of the SQR reporting, Windstream will treat the line as basic."

3. For all items in the table that have the SQR Eligible box annotated Y, Windstream is including those lines in its SQR reporting to the Commission. Just to clarify, do you agree that for all lines reported to the Commission, the customers will receive the benefits of the SQR as if the line is basic. For example, customer calls 911, but is still classified Basic for reporting and will receive pro-rata credit for time out of service in accordance with the service quality rules.

Please provide a response no later than Wednesday morning (2/17) if possible. An e-mail response is acceptable. We will file your response in the docket file with the Commission Clerk.

I have also attached a copy of Certificate No. 10, pdf file. There are two copies, one may be better than the other.

Thank you,

Ray Kennedy
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Phone: 850-413-6584

Fax: 850-413-6585
E-Mail: rkennedy@psc.state.fl.us

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