

**Marguerite McLean**

090327-TP

**From:** nicki.garcia@akerman.com  
**Sent:** Wednesday, July 28, 2010 4:20 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** tony.mastando@deltacom.com; Fself@lawfla.com; Charles Murphy; matthew.feil@akerman.com; james.mertz@hypercube-llc.com; jean.houck@deltacom.com; hazzard.michael@arentfox.com; koslofsky.jason@arentfox.com; Kevin Bloom  
**Subject:** Electronic Filing - Docket No. 090327-TP  
**Attachments:** 20100728160946327.pdf

Attached is an electronic filing for the docket referenced below. If you have any questions, please contact either Matt Feil or Nicki Garcia at the numbers below. Thank you.

**Person Responsible for Filing:**

Matthew Feil  
**AKERMAN SENTERFITT**  
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**Docket No. and Name:** Docket No. 090327-TP - Petition of DeltaCom, Inc. for Order Determining DeltaCom, Inc. not Liable for Access Charges of KMC Data, LLC, Hypercube, LLC and Hypercube Telecom, LLC.

**Filed on behalf of:** DeltaCom, Inc.

**Total Number of Pages:** 3

**Description of Documents:** DeltaCom's Notice of Service of Responses to Hypercube's Second Set of Discovery

**Nicki Garcia**

Office of:  
 Lila A. Jaber  
 Matthew Feil

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July 28, 2010

**VIA ELECTRONIC FILING**

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

**Re: Docket No. 090327-TP - Petition of DeltaCom, Inc. for Order Determining DeltaCom, Inc. Not Liable for Access Charges of KMC Data, LLC and Hypercube Telecom, LLC**

Dear Ms. Cole:

Enclosed for electronic filing in the above-referenced docket on behalf of DeltaCom, Inc., please find DeltaCom's Notice of Service of Responses to Hypercube's Second Set of Discovery.

Your assistance in this matter is greatly appreciated. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Matthew Feil

{FL248021;1}

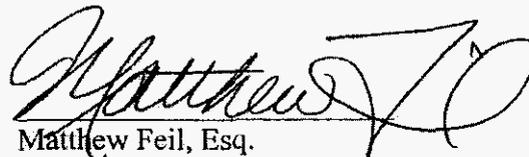
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of DeltaCom, Inc. for )  
order determining DeltaCom, Inc. ) Docket No. 090327-TP  
not liable for access charges of KMC )  
Data LLC and Hypercube Telecom, LLC.) Filed: July 28, 2010  
\_\_\_\_\_)

**DELTA COM'S NOTICE OF SERVICE OF  
RESPONSES TO HYPERCUBE'S SECOND SET OF DISCOVERY**

NOTICE IS HEREBY GIVEN that DeltaCom, Inc., by and through its undersigned counsel, has served its responses to the Second Set of Interrogatories (Nos. 54-63), Second Requests for Production of Documents (Nos. 45-58) and Second Request for Admissions (Nos. 18-23) of KMC Data LLC and Hypercube Telecom LLC ("Hypercube") by electronic mail and U.S. Mail on Mr. Floyd Self and Mr. Mike Hazzard, counsel for Hypercube, and on counsel for the Commission staff, at the addresses shown on the attached Certificate of Service this 28<sup>th</sup> day of July, 2010.



Matthew Feil, Esq.  
Akerman Senterfitt  
106 East College Avenue, Suite 1200  
Tallahassee, FL 32301  
(850) 425-1614

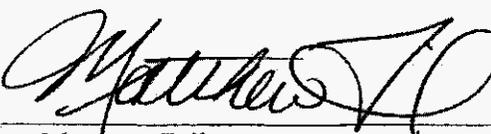
D. Anthony Mastando, Esq.  
Regulatory Vice President  
DeltaCom, Inc.  
7037 Old Madison Pike, Suite 400  
Huntsville, AL 35806  
(256) 382-5900

*Attorneys for DeltaCom, Inc.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy was served upon the following by Electronic Mail and/or U.S. Mail this 28<sup>th</sup> day of July, 2010.

Charles Murphy, Esq. Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 cmurphy@psc.state.fl.us	Kevin Bloom Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 kbloom@psc.state.fl.us
D. Anthony Mastando, Esq. Regulatory Vice President Jean Houck DeltaCom, Inc 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806 (256) 382-5900 tony.mastando@deltacom.com jean.houck@deltacom.com	Mr. James Mertz Hypercube Telecom LLC Building 300 5300 Oakbrook Parkway, Suite 330 Norcross, GA 30093-6210 james.mertz@hypercube-llc.com
Floyd R. Self, Esq. Messer, Caparello & Self, P.A. P.O. Box 15579 Tallahassee, FL 32317 (850) 425-5213 fself@lawfla.com	Michael B. Hazzard, Esq. Jason Koslofsky, Esq. Arent Fox LLP 1050 Connecticut Avenue, NW Washington, DC 20036-5339 (202) 857-6029 hazzard.michael@arentfox.com koslofsky.jason@arentfox.com

By:   
Matthew Feil