

**Diamond Williams**

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**From:** Lacey, Kimberly A. [kimberly.lacey@bingham.com]  
**Sent:** Friday, November 12, 2010 2:32 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Branfman, Eric J.; Macres, Philip J.  
**Subject:** Docket No. 100008-OT - Request for Naming of Qualified Representative  
**Attachments:** Docket No 100008-OT Navigator Telecommunications LLC.pdf

Attached for electronic filing in the above-referenced docket, please find the attached Request for Naming of Qualified Representatives. If you have any questions, please do not hesitate to contact us.

a. Persons responsible for this filing:

Eric J. Branfman  
 Kimberly A. Lacey  
 Bingham McCutchen LLP  
 2020 K Street, N.W.  
 Washington, DC 20006  
 Tel: (202) 373-6000  
 Fax: (202) 373-6001  
 Email: eric.branfman@bingham.com  
 kimberly.lacey@bingham.com

- b. Docket No. 100008-OT  
 c. Filed on behalf of: Navigator Telecommunications, LLC  
 d. Total pages: 7  
 e. Brief Description: Request for Naming of Qualified Representatives

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DOCUMENT NUMBER-DATE

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**BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA**

\_\_\_\_\_  
In re: Applications for Qualified Representative )  
Status )

Docket No. 100008-OT  
Filed: November 12, 2010

**REQUEST FOR NAMING QUALIFIED REPRESENTATIVES**

Pursuant to Rules 28-106.106 and 28-106.107 of the Florida Administrative Code, Navigator Telecommunications, LLC (“Navigator”) requests that Eric J. Branfman and Kimberly A. Lacey, attorneys with the law firm Bingham McCutchen LLP, be named qualified representatives for Navigator in Docket No. 090538-TP.<sup>1</sup>

1. The business address and contact information for Mr. Branfman and Mrs. Lacey is:

Eric J. Branfman  
Kimberly A. Lacey  
Bingham McCutchen LLP  
2020 K Street, N.W.  
Washington, DC 20006  
Tel: (202) 373-6000  
Fax: (202) 373-6001  
Email: eric.branfman.bingham.com  
kimberly.lacey@bingham.com

2. Consistent with Rule 28-106.106(2)(a), Navigator is aware that it can elect to be represented solely by “counsel,” at that term is defined in Rule 28-106-106(1) of the Florida Administrative Code.

<sup>1</sup> *In re: Amended Complaint of Qwest Communications Company, LLC against MCI Metro Access Transmission Services, LLC (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, Access Point, Inc., Birch Communications, Inc., Budget Prepay, Inc., Bullseye Telecom, Inc., Deltracom, Inc., Ernest Communications, Inc., Flatel, Inc., Lightyear Network Solutions, LLC, Navigator Telecommunications, LLC, PaeTec Communications, Inc., STS Telecom, LLC, U.S. LEC of Florida, LLC, Windtream NuVox, Inc., and John Does 1 through 50.*

3. Navigator submits that Mr. Branfman and Mrs. Lacey possess the necessary qualifications to represent Navigator's interests in Docket No. 090538-TP. In this regard, attached here are the sworn affidavits of Eric J. Branfman and Kimberly A. Lacey, setting forth their respective qualifications as required by Rule 28-106.106.

WHEREFORE, for the foregoing reasons, Navigator respectfully requests that this *Request for Naming of Qualified Representative* be granted.

Dated: November 11, 2010

Respectfully submitted,

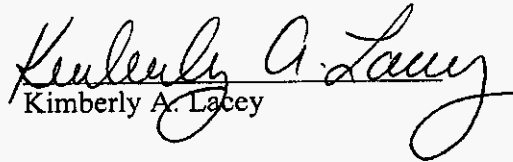


Michael McAlister, Esq.  
General Counsel  
Navigator Telecommunications, LLC  
8525 Riverwood Park Drive  
P.O. Box 13860  
North Little Rock, AR 72113  
Tel: (501) 954-4000  
Fax: (501) 954-4002  
Email: mike@navtel.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of November, 2010, a true and correct copy of the foregoing was electronically filed, and sent via U.S. Mail to the following:

Curt Kiser  
General Counsel  
Florida Public Service Commission  
Office of the General Counsel  
2540 Shumard Oak Blvd.  
Tallahassess, FL 32399-0850

  
Kimberly A. Lacey

**BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA**

In re: Applications for Qualified Representative Status	)	Docket No. 100008-OT
	)	Filed: November 12, 2010


**AFFIDAVIT**

ERIC J. BRANFMAN, being first duly sworn, states that:

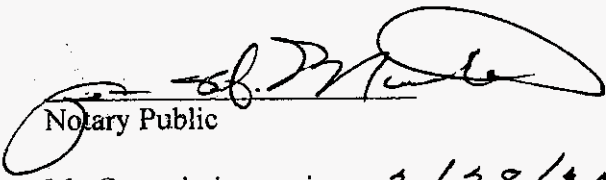
1. I am an attorney with the law firm Bingham McCutchen LLP.
  
2. I represent Navigator Telecommunications, LLC ("Navigator") in connection with certain legal and regulatory matters relating to telecommunications services.
  
3. I have prepared this affidavit in connection with Navigator's request that I be named a qualified representative of Navigator in Docket No. 090538-TP.
  
4. I possess the necessary qualifications to responsibly represent Navigator before the Commission in Docket No. 090538-TP.
  
5. I am a member in good standing of the bar of the District of Columbia. I am also admitted to practice before the U.S. Supreme Court, U.S. Court of Appeals for the District of Columbia Circuit, U.S. Court of Appeals for the Sixth Circuit, U.S. Court of Appeals for the Eighth Circuit, and U.S. District Court, District of Columbia. I have extensive telecommunications-specific regulatory experience and have appeared in matters before the federal and state regulatory commissions.
  
7. I am familiar with the relevant portions of the Florida Statutes, Florida Rules of Civil Procedure, the Florida Administrative Code, the Florida Rules of Evidence, and Rule 28-106.107, Florida Administrative Code.

9. I have reviewed Rule 28-106.107, Florida Administrative Code, and agree to abide by its standards.

I declare that the foregoing is true and correct based on my knowledge, information and belief.

  
\_\_\_\_\_  
Eric J. Branfman

Sworn to and subscribed before me this 12th day of November, 2010.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 2/28/2011

**James H. Mountain**  
Notary Public, District of Columbia  
My Commission Expires 02/28/2011

**BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA**

\_\_\_\_\_) )  
 In re: Applications for Qualified Representative )  
 Status )

Docket No. 100008-OT  
 Filed: November 12, 2010

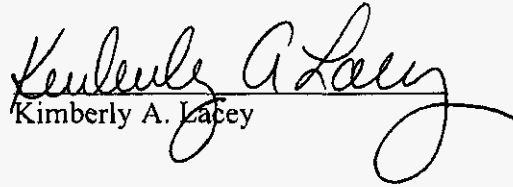
**AFFIDAVIT**

KIMBERLY A. LACEY, being first duly sworn, states that:

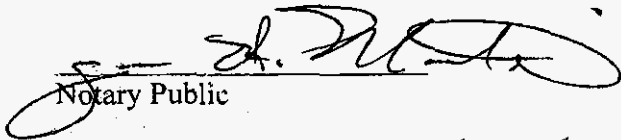
1. I am an attorney with the law firm Bingham McCutchen LLP.
2. I represent Navigator Telecommunications, LLC (“Navigator”) in connection with certain legal and regulatory matters relating to telecommunications services.
3. I have prepared this affidavit in connection with Navigator’s request that I be named a qualified representative of Navigator in Docket No. 090538-TP.
4. I possess the necessary qualifications to responsibly represent Navigator before the Commission in Docket No. 090538-TP.
5. I am a member in good standing of the bars of the Commonwealth of Virginia and District of Columbia.
7. I am familiar with the relevant portions of the Florida Statutes, Florida Rules of Civil Procedure, the Florida Administrative Code, the Florida Rules of Evidence, and Rule 28-106.107, Florida Administrative Code.
8. I have reviewed Rule 28-106.107, Florida Administrative Code, and agree to abide by its standards.



I declare that the foregoing is true and correct based on my knowledge, information and belief.

  
Kimberly A. Lacey

Sworn to and subscribed before me this 12th day of November, 2010.

  
Notary Public

My Commission expires: 2/28/2011

**James H. Mountain**  
Notary Public, District of Columbia  
My Commission Expires 02/28/2011