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From: Lacey, Kimberly A. [kimberly.lacey@bingham.com]
Sent: Friday, November 12, 2010 2:34 PM
To: Filings@psc.state.fl.us
Cc: Branfman, Eric J.; Macres, Philip J.
Subject: RE: Docket No. 100008-OT - Request for Naming of Qualified Representative
Attachments: Docket No 100008-OT PaeTec Communications Inc and US LEC of Florida.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
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 Tel: (202) 373-6000
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- b. Docket No. 100008-OT
 c. Filed on behalf of: PaeTec Communications, Inc. and US LEC of Florida, LLC
 d. Total pages: 7
 e. Brief Description: Request for Naming of Qualified Representatives

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11/12/2010

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, PaeTec Communications, Inc. ("PAETEC") and US LEC of Florida, LLC d/b/a PaeTec Business Services ("US LEC") requests that Eric J. Branfman and Kimberly A. Lacey, attorneys with the law firm Bingham McCutchen LLP, be named qualified representatives for PAETEC and US LEC in Docket No. 090538-TP.¹

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), PAETEC and US LEC are aware that they can elect to be represented solely by "counsel," at that term is defined in Rule 28-106-106(1) of the Florida Administrative Code.

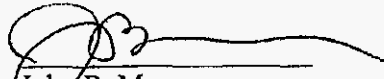
¹ In re: Amended Complaint of Qwest Communications Company, LLC against MCI Metro Access Transmission Services, LLC (d/b/a Verizon Access Transmission Services), XO Communications Services, Inc., tw Telecom of Florida, L.P., Granite Telecommunications LLC, Cox Florida Telcom, L.P., Broadwing Communications, 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, Windstream NuVox, Inc., and John Does 1 through 50.

3. PAETEC and US LEC submit that Mr. Branfman and Mrs. Lacey possess the necessary qualifications to represent PAETEC and US LEC'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, PAETEC and US LEC respectfully requests that this Request for Naming of Qualified Representative be granted.

Dated: November 12, 2010

Respectfully submitted,



John B. Messenger
Vice President and Associate General Counsel
PAETEC Communications, Inc.
One PaeTec Plaza
600 Willowbrook Office Park
Fairport, New York 14450
Tel: (585) 340-2772
Fax: (585) 340-2563
Email: john.messenger@paetec.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

A handwritten signature in cursive script that reads "Kelenzy A. Lacey". The signature is written in black ink and is positioned to the right of the recipient's address.

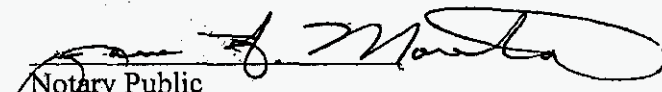
7. I am familiar with the relevant portions of the Florida Statutes, Florida Rules of Civil Procedure, the Florida Administrative Code, the Florida Rules of Evidence, and Rule 28-106.107, Florida Administrative Code.

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)
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Docket No. 100008-OT
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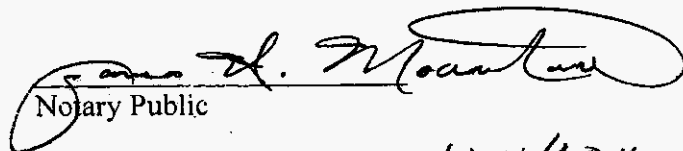
KIMBERLY A. LACEY, being first duly sworn, states that:

1. I am an attorney with the law firm Bingham McCutchen LLP.
2. I represent PaeTec Communications, Inc. ("PAETEC") and US LEC of Florida d/b/a PaeTec Business Services ("US LEC") in connection with certain legal and regulatory matters relating to telecommunications services.
3. I have prepared this affidavit in connection with PAETEC and US LEC's request that I be named a qualified representative of PAETEC and US LEC in Docket No. 090538-TP.
4. I possess the necessary qualifications to responsibly represent PAETEC and US LEC 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