

Marguerite McLean

100008-OT

From: Andrew M. Klein [AKlein@KleinLawPLLC.com]
Sent: Wednesday, November 17, 2010 5:16 PM
To: Filings@psc.state.fl.us
Subject: RE: Docket No. 100008-OT - Request for Naming of Qualified Representatives
Attachments: FL Qual Rep 11-16-10 Final.pdf

Attached please find the filing in one consolidated document, as discussed.

Andrew M. Klein
 KLEIN LAW GROUP PLLC
 AKlein@KleinLawPLLC.com

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 Suite 200
 Washington, D.C. 20036
 (202) 289-6955
 Mobile: (202) 321-6464

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The information contained in this communication is confidential and may be subject to the attorney-client privilege. It is intended solely for the use of the addressee (s). Unauthorized interception, use or disclosure of this communication is prohibited and may be unlawful. If you have received this communication in error, kindly notify us immediately by return e-mail and destroy this communication and any attachments.

From: Andrew M. Klein [mailto:AKlein@KleinLawPLLC.com]
Sent: Wednesday, November 17, 2010 4:55 PM
To: 'Filings@psc.state.fl.us'
Subject: RE: Docket No. 100008-OT - Request for Naming of Qualified Representatives

Attached please find a replacement filing, with apologies for any inconvenience.

Andrew M. Klein
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From: Andrew M. Klein [mailto:AKlein@KleinLawPLLC.com]
Sent: Wednesday, November 17, 2010 4:45 PM
To: 'Filings@psc.state.fl.us'
Subject: RE: Docket No. 100008-OT - Request for Naming of Qualified Representatives

Thank you for the notice. Attached please find the filing, resubmitted (in two parts).

Andrew M. Klein
 KLEIN LAW GROUP PLLC
 AKlein@KleinLawPLLC.com

DOCUMENT NUMBER: 09496

NOV 18 2010

FPSC-COMMISSION CLERK

11/17/2010

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From: Filings@psc.state.fl.us [mailto:Filings@PSC.STATE.FL.US]
Sent: Wednesday, November 17, 2010 11:03 AM
To: AKlein@KleinLawPLLC.com
Subject: FW: Docket No. 100008-OT - Request for Naming of Qualified Representatives

Mr. Klein:

We are in receipt of your attached e-filing. Please note that, per the Commission's e-filing requirements, documents must be capable of being printed as paper documents without loss of content or appearance. Your document will need to be revised and resubmitted to be considered an official filing. (The signature in the request for naming of qualified representatives is not legible)

Documents Eligible for Electronic Filing

- All documents permitted or required to be filed with the Commission shall be eligible for electronic filing, except those documents listed under "Documents Not Eligible."
- All documents filed electronically must be capable of being printed as paper documents without loss of content or appearance. Documents must be prepared using a clearly readable font which, when printed, will fit on an 8.5 by 11-inch page.

• A link to the Commission's e-filing requirements is included for your convenience:

<http://www.psc.state.fl.us/dockets/e-filings/>

Please call our office if you have any questions.

Marguerite H. McLean
 Commission Deputy Clerk II
 Florida Public Service Commission
 Office of Commission Clerk
 850-413-6770

From: Andrew M. Klein [mailto:AKlein@KleinLawPLLC.com]
Sent: Tuesday, November 16, 2010 7:40 PM
To: Filings@psc.state.fl.us
Cc: 'Allen Zoracki'
Subject: RE: Docket No. 100008-OT - Request for Naming of Qualified Representatives

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 filing:

11/17/2010

Andrew M. Klein
Allen C. Zoracki
KLEIN LAW GROUP PLLC
1250 Connecticut Ave. NW
Suite 200
Washington, DC 20036
Phone: (202) 289-6955
Fax: (202) 289-6997
AKlein@KleinLawPLLC.com
AZoracki@KleinLawPLLC.com

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

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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 <u>16</u> , 2010
)	

REQUEST FOR NAMING OF QUALIFIED REPRESENTATIVES

Pursuant to Rules 28-106.106 and 28-106.107, Florida Administrative Code, BullsEye Telecom, Inc. (“BullsEye”) requests that Andrew M. Klein and Allen C. Zoracki, attorneys with the law firm Klein Law Group PLLC, be named qualified representatives for BullsEye in Docket No. 090538-TP.¹

1. The business address and contact information of Messrs. Klein and Zoracki is:

Andrew M. Klein
Allen C. Zoracki
Klein Law Group PLLC
1250 Connecticut Ave. NW, Suite 200
Washington, DC 20036
Phone: (202) 289-6955
Fax: (202) 289-6997
AKlein@KleinLawPLLC.com
AZoracki@KleinLawPLLC.com

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

3. BullsEye submits that Messrs. Klein and Zoracki possess the necessary qualifications to represent BullsEye’s interests in Docket No. 090538-TP. In this regard,


¹ *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; Access Point, Inc.; Birch Communications, Inc.; Budget PrePay, Inc.; BullsEye Telecom, Inc.; DeltaCom, Inc.; Ernest Communications, Inc.; Flatel, Inc.; Lightyear Network Solutions, LLC; Navigator Telecommunications, LLC; PaeTec Communications, Inc.; STS Telecom, LLC; US LEC of Florida, LLC; Windstream Nuvox, Inc.; and John Does 1 through 50 (CLEC's whose true names are currently unknown).*

attached hereto are the sworn affidavits of Andrew M. Klein and Allen C. Zoracki, setting forth their respective qualifications as required by Rule 28-106.106.

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

Dated: November 16, 2010

Respectfully submitted,



William H. Oberlin
CEO

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA

In re: Applications for Qualified Representative)
Status) Docket No. 100008-OT
) Filed: November 16, 2010
_____)

AFFIDAVIT

ANDREW M. KLEIN, being first duly sworn, states that:

1. I am an attorney with the law firm Klein Law Group PLLC.
2. I represent BullsEye Telecom, Inc. in connection with certain legal and regulatory matters relating to telecommunications services.
3. I have prepared this affidavit in connection with BullsEye's request that I be named a qualified representative of BullsEye in Docket No. 090538-TP.
4. I possess the necessary qualifications to responsibly represent BullsEye before the Commission in Docket No. 090538-TP.
5. I am a member in good standing of the bars of the State of New York, State of New Jersey, and the District of Columbia. I am also admitted to practice before the U.S. Supreme Court, U.S. Court of Appeal for the Second Circuit, and several U.S. District Courts.
6. I have extensive telecommunications-specific regulatory experience and have appeared in matters before federal and state regulatory commissions, including the Florida PSC. Prior to entering private practice in 2000, I was an Assistant General Counsel and Session Counsel to the New York PSC. I have specifically represented BullsEye before other state regulatory commissions with respect to analogous issues presented in Docket No. 090538-TP, and currently represent Granite Telecommunications, LLC in the same Docket.

DOCUMENT NO. DATE

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7. I am familiar with the portions of the Florida Statutes relating to jurisdiction of the Florida Public Service Commission and the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding. I am also familiar with those portions of the Florida Statutes and the Florida Administrative Code relating to rules of evidence in administrative proceedings, including the concept of hearsay in an administrative proceeding.

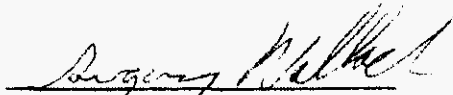
8. I have obtained knowledge of the factual and legal issues involved in Docket No. 090538-TP.

9. I have reviewed Rule 28.106.107, Florida Administrative Code, and agree to abide by its standards.

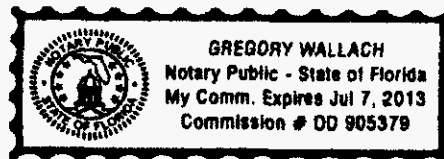
I declare that the foregoing is true and correct based on my knowledge, information and belief.


Andrew M. Klein

SWORN TO AND SUBSCRIBED before me this 16th day of November, 2010.


Notary Public 71-115

My Commission expires:



BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA

In re: Applications for Qualified Representative Status))))	Docket No. 100008-OT Filed: November 16, 2010
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AFFIDAVIT

ALLEN C. ZORACKI, being first duly sworn, states that:

1. I am an attorney with the law firm Klein Law Group PLLC.
2. I represent BullsEye Telecom, Inc. in connection with certain legal and regulatory matters relating to telecommunications services.
3. I have prepared this affidavit in connection with BullsEye's request that I be named a qualified representative of BullsEye in Docket No. 090538-TP.
4. I possess the necessary qualifications to responsibly represent BullsEye before the Commission in Docket No. 090538-TP.
5. I am a member in good standing of the bar of the State of New York.
6. I have extensive telecommunications-specific regulatory experience and have appeared in matters before state regulatory commissions, including the Florida PSC. I have specifically represented BullsEye before other state regulatory commissions with respect to analogous issues presented in Docket No. 090538-TP, and I currently represent Granite Telecommunications, LLC in the same Docket.
7. I am familiar with the portions of the Florida Statutes relating to jurisdiction of the Florida Public Service Commission and the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding. I am also familiar with those portions of the Florida

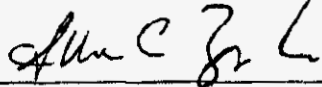
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Statutes and the Florida Administrative Code relating to rules of evidence in administrative proceedings, including the concept of hearsay in an administrative proceeding.

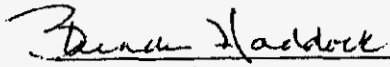
8. I have obtained or will obtain knowledge of the factual and legal issues involved in Docket No. 090538-TP.

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.


Allen C. Zoracki

SWORN TO AND SUBSCRIBED before me this 16th day of November, 2010.


Notary Public

My Commission expires:

BRENDA C. HADDOCK
Notary Public, State of New York
Monroe County Reg. #01HA6212553
Commission Expires 10/13/13

CERTIFICATE OF SERVICE

I hereby certify that on this 16th 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.
Tallahassee, FL 32399-0850

/s/ Allen C. Zoracki

Allen C. Zoracki