

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Applications for qualified representative  
status.

DOCKET NO. 100008-OT  
ORDER NO. PSC-10-0691-FOF-OT  
ISSUED: November 18, 2010

ORDER AUTHORIZING APPEARANCE  
AS QUALIFIED REPRESENTATIVES

In this order we grant the requests made under Rule 28-106.107, Florida Administrative Code, that Eric J. Branfman and Kimberly A. Lacey be designated as qualified representatives, authorized to represent before this Commission the interests of Access Point, Inc. (Access Point), Lightyear Network Solutions, LLC (Lightyear), Navigator Telecommunications, LLC (Navigator), and PaeTec Communications, Inc. (PAETEC) and US LEC of Florida, LLC d/b/a PaeTec Business Services (US LEC) even though they are not admitted to practice law in Florida. In their Petitions, Access Point, Lightyear, Navigator, PAETEC, and US LEC requested that Eric J. Branfman and Kimberly A. Lacey be designated as their qualified representatives in Docket No. 090538-TP only, with such representation continuing for the duration of such docket.

In designating Eric J. Branfman and Kimberly A. Lacey as qualified representatives, we have confirmed that the applications conform to the requirements of the rule and that, based on the information contained in the applications, they have the necessary qualifications to represent the interests of Access Point, Lightyear, Navigator, PAETEC, and US LEC, as contemplated under the rule. For example, Eric J. Branfman and Kimberly A. Lacey are admitted to practice law in states other than Florida.

The qualified representatives' designation is reflected in the Appendix, which is incorporated as part of the body of this order.

Based on the foregoing, it is

ORDERED by Chairman Art Graham, as Presiding Officer, that the persons identified in the Appendix to this order, Eric J. Branfman and Kimberly A. Lacey, are hereby authorized to appear as Qualified Representatives for Access Point, Inc., Lightyear Network Solutions, LLC, Navigator Telecommunications, LLC, PaeTec Communications, Inc., and US LEC of Florida, LLC d/b/a PaeTec Business Services.

TELEPHONE NUMBER DATE

09500 NOV 18 0

FPSC-COMMISSION CLERK

By ORDER of Chairman Art Graham, as Prehearing Officer, this 18th day of November, 2010.



ART GRAHAM  
Chairman and Prehearing Officer

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

APPENDIX

<b>Qualified Representatives</b>	<b>Contact Information</b>	<b>Companies Represented</b>
Eric J. Branfman	Bingham McCutchen LLP 2020 K. Street, N.W. Washington, DC 20006 Tel: (202) 373-6000 Fax: (202) 373-6001 Email: <a href="mailto:eric.branfman@bingham.com">eric.branfman@bingham.com</a>	Access Point, Inc., Lightyear Network Solutions, LLC, Navigator Telecommunications, LLC, PaeTec Communications, Inc., and US LEC of Florida, LLC d/b/a PaeTec Business Services
Kimberly A. Lacey	Bingham McCutchen LLP 2020 K. Street, N.W. Washington, DC 20006 Tel: (202) 373-6000 Fax: (202) 373-6001 Email: <a href="mailto:Kimberly.lacey@bingham.com">Kimberly.lacey@bingham.com</a>	Access Point, Inc., Lightyear Network Solutions, LLC, Navigator Telecommunications, LLC, PaeTec Communications, Inc., and US LEC of Florida, LLC d/b/a PaeTec Business Services