

**Dorothy Menasco**

**From:** Galloway, Cecilia (Cissy) [CGalloway@gunster.com]  
**Sent:** Monday, December 12, 2011 4:50 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Lee Eng Tan; 'aklein@kleinlawpllc.com'; 'adam.sherr@qwest.com'; 'de.oroark@verizon.com'; 'janewhang@dwt.com'; 'Chris.bunce@birch.com'; 'Edward.Krachmer@windstream.com'; 'Eric.branfman@bingham.com'; 'rcurrier@granitenet.com'; Feil, Matthew; 'Foley, Paula'; 'Carolyn.Ridley@twelecom.com'; 'kris.shulman@xo.com'; 'marsha@reuphlaw.com'; 'David.Christian@verizon.com'; 'Richard.brown@accesspointinc.com'; 'John.greive@lightyear.net'; 'mike@navtel.com'; 'John.messenger@paetec.com'; 'Philip.macres@bingham.com'; 'Greg.diamond@level3.com'; 'dbailey@bullseyetelecom.com'; 'azoracki@kleinlawpllc.com'; 'doug.hsiao@qwest.com'; 'michael.cooke@ruden.com'; Brenda Merritt; 'alex.duarte@qwest.com'; 'jason.topp@qwest.com'; 'bettye.j.willis@windstream.com'; 'agold@acgoldlaw.com'; 'kris.shulman@xo.com'  
**Subject:** PSC Filing Docket No. 090538-TP - DeltaComm  
**Attachments:** Qwest 3 - Delta Resp Staff 1st Set.pdf

The attached is an electronic filing for the docket referenced below. If you have any questions, please contact Matt Feil at the number below. Thank you.

**Person Responsible for Filing:**

Matthew Feil  
 Gunster Law Firm  
 215 South Monroe Street, Suite 601  
 Tallahassee, FL 32301  
 Direct: 850-521-1708  
 Main: 850-521-1980  
[mfeil@gunster.com](mailto:mfeil@gunster.com)

**Docket Name and Number:** Docket No. 090538-TP – Amended 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; 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, for unlawful discrimination.

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

**Total Number of Pages:** 5

**Description of Documents:** Notice of Serving Objections and Responses to Staff's First Set of Discovery to DeltaCom, Inc.



**GUNSTER**  
 FLORIDA'S LAW FIRM FOR BUSINESS

Cecilia C. Galloway  
 Governmental Affairs  
 215 S. Monroe Street, Suite 601  
 Tallahassee, FL 32301  
 Main 850-521-1980 Direct 850-521-1726

DOCUMENT NUMBER DATE

08905 DEC 12 =

FPSC-COMMISSION CLERK

12/12/2011

---

Tax Advice Disclosure: To ensure compliance with requirements imposed by the IRS under Circular 230, we inform you that any U.S. federal tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any matters addressed herein. Click the following hyperlink to view the complete Gunster IRS Disclosure & Confidentiality note.

<http://www.gunster.com/terms-of-use/>



Writer's Direct Dial Number: 850-521-1708  
Writer's E-Mail Address: MFeil@gunster.com

December 12, 2011

**VIA ELECTRONIC-FILING**

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

**Re: Docket No. 090538-TP - Amended 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; 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, for unlawful discrimination.**

Dear Ms. Cole:

Enclosed is DeltaCom, Inc.'s Notice of Serving Objections and Responses to Staff's First Set of Interrogatories (Nos. 1-9), submitted by electronic mail in the above referenced docket.

Sincerely,

Matthew J. Feil  
MJF/ccg

Enclosures

DOCUMENT NUMBER DATE

08905 DEC 12

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Amended Complaint of Qwest Communications }  
Company, LLC against MCImetro Access Transmission } Docket No. 090538-TP  
Services (d/b/a Verizon Access Transmission }  
Services); XO Communications Services, Inc.; }  
tw telecom of florida, l.p.; Granite Telecommunications, } Filed: December 12, 2011  
LLC; 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, for unlawful }  
discrimination. }

**DELTACOM, INC.'S NOTICE OF SERVING OBJECTIONS AND  
RESPONSES TO STAFF'S FIRST SET OF INTERROGATORIES (NOS. 1-9)**

DELTACOM, INC. ("DeltaCom", or "the Company"), by and through its undersigned counsel, hereby gives notice that the Company has served its objections and responses to Staff's First Set of Interrogatories (Nos. 1-9) by electronic mail and/or U.S. Mail to Ms. Lee Ang Tan of the Florida Public Service Commission Staff. Copies of the objections and responses have been provided to parties consistent with the attached Certificate of Service.

This notice is respectfully submitted by electronic mail the 12th day of December, 2011.



**Matthew J. Feil**  
Gunster, Yoakley & Stewart, P.A.  
215 S. Monroe Street, Suite 601  
Tallahassee, Florida 32301  
Telephone: (850) 521-1980  
Facsimile: (850) 576-0902

WPB\_ACTIVE 4955662.1

DOCUMENT NUMBER-DATE  
08905 DEC 12 =  
FPSC-COMMISSION CLERK

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following by email, and/or U.S. Mail this 12th day of December, 2011.

Lee Eng Tan Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 <a href="mailto:ltan@psc.state.fl.us">ltan@psc.state.fl.us</a>	Eric J. Branfman/Philip J. Macres Bingham Law Firm 2020 K Street, NW Washington, DC 20006 <a href="mailto:eric.branfman@bingham.com">eric.branfman@bingham.com</a> <a href="mailto:Philip.macres@bingham.com">Philip.macres@bingham.com</a>
Mr. Chris Bunce Birch Communications, Inc. 2300 Main Street, Suite 600 Kansas City, MO 64108-2415 <a href="mailto:Chris.bunce@birch.com">Chris.bunce@birch.com</a>	Mr. Greg Diamond Broadwing Communications, Inc. c/o Level 3 Communications 1025 Eldorado Boulevard Broomfield, CO 80021-8869 <a href="mailto:Greg.Diamond@level3.com">Greg.Diamond@level3.com</a>
Richard Brown Access Point, Inc. 1100 Crescent Green, Suite 109 Cary, NC 27511 <a href="mailto:Richard.brown@accesspointinc.com">Richard.brown@accesspointinc.com</a>	Mr. David Bailey BullsEye Telecom, Inc. 25925 Telegraph Road, Suite 210 Southfield, MI 48033-2527 <a href="mailto:dbailey@bullseyetelecom.com">dbailey@bullseyetelecom.com</a>
Jane Whang Davis Wright Tremaine LLP 505 Montgomery Street, Suite 800 San Francisco, CA 94111 <a href="mailto:janewhang@dwt.com">janewhang@dwt.com</a>	Paula W. Foley One Communication – Earthlink 5 Wall Street Burlington, MA 01803 <a href="mailto:pfoley@corp.earthlink.com">pfoley@corp.earthlink.com</a>
Ernest Communications, Inc. 5275 Triangle Parkway, Suite 150 Norcross, GA 30092-6511	Flatel, Inc. Executive Center, Suite 100 2300 Palm Beach Lakes Blvd. West Palm Beach, FL 33409-3307
Granite Telecommunications, LLC 100 Newport Avenue Extension Quincy, MA 02171-1734 <a href="mailto:rcurrier@granitenet.com">rcurrier@granitenet.com</a>	Andrew M. Klein/Allen C. Zoracki Klein Law Group 1250 Connecticut Ave. NW, Suite 200 Washington, DC 20036 <a href="mailto:AKlein@kleinlawPLLC.com">AKlein@kleinlawPLLC.com</a> <a href="mailto:azoracki@kleinlawpllc.com">azoracki@kleinlawpllc.com</a>

<p>John Greive  Lightyear Network Solutions, LLC  1901 Eastpoint Parkway  Louisville, KY 40223-4145  <a href="mailto:john.greive@lightyear.net">john.greive@lightyear.net</a></p>	<p>Michael McAlister  Navigator Telecommunications, LLC  P.O. Box 13860  North Little Rock, AR 72113-0860  <a href="mailto:mike@navtel.com">mike@navtel.com</a></p>
<p>John B. Messenger  PaeTec Communications, Inc.  One PaeTec Plaza  600 Willowbrook Office Park  Fairport, NY 14450-4233  <a href="mailto:john.messenger@paetec.com">john.messenger@paetec.com</a></p>	<p>Susan S. Masterton, Esq.  CenturyLink QCC  315 S. Calhoun Street, Suite 500  Tallahassee, FL 32301  <a href="mailto:susan.masterton@centurylink.com">susan.masterton@centurylink.com</a></p>
<p>Adam L. Sherr  Qwest Communications Company, LLC  1600 7th Avenue, Room 1506  Seattle, WA 98191  <a href="mailto:Adam.Sherr@centurylink.com">Adam.Sherr@centurylink.com</a></p>	<p>Marsha Rule  Rutledge Law Firm  Post Office Box 551  Tallahassee, FL 32302  <a href="mailto:marsha@reuphlaw.com">marsha@reuphlaw.com</a></p>
<p>Ms. Kristin U. Shulman  XO Communications  810 Jorie Blvd., Suite 200  Oak Brook, IL 60523  <a href="mailto:kris.shulman@xo.com">kris.shulman@xo.com</a></p>	<p>Brenda Merritt  Division of Regulatory Analysis  Florida Public Service Commission  2540 Shumard Oak Boulevard  Tallahassee, FL 32399  <a href="mailto:bmerritt@psc.state.fl.us">bmerritt@psc.state.fl.us</a></p>
<p>Dulaney L. O'Roark III  Verizon  5055 North Point Parkway  Alpharetta, GA 30022  678-259-1657 (phone)  678-259-5326 (fax)  <a href="mailto:de.oroark@verizon.com">de.oroark@verizon.com</a></p>	<p>Ms. Carolyn Ridley  tw telecom of florida l.p.  2078 Quail Run Drive  Bowling Green, KY 42104  <a href="mailto:Carolyn.Ridley@twtelecom.com">Carolyn.Ridley@twtelecom.com</a></p>
<p>Jane J. Whang  Davis Wright Tremaine LLP  Suite 800  505 Montgomery Street  San Francisco, California 94111-6533  <a href="mailto:janewhang@dwt.com">janewhang@dwt.com</a></p>	<p>Mr. David Christian  Verizon Access Transmission Services  106 East College Avenue, Suite 710  Tallahassee, FL 32301-7721  <a href="mailto:david.christian@verizon.com">david.christian@verizon.com</a></p>

Ed Krachmer  
Windstream NuVox, Inc.  
4001 Rodney Parham Road  
MS: 1170-B1F03-53A  
Little Rock, AR 72212  
[Edward.Krachmer@windstream.com](mailto:Edward.Krachmer@windstream.com)

James White  
Windstream NuVox, Inc.  
4651 Salisbury Road, Suite 151  
Jacksonville, FL 32256-6187  
[Bettye.j.willis@windstream.com](mailto:Bettye.j.willis@windstream.com)

By:



Matthew Feil, Esq.