Eric Fryson

From: Kim Hancock [khancock@kagmlaw.com]
Sent: Friday, January 27, 2012 8:56 AM
To: Filings@psc.state.fl.us
Cc: Beth Salak; Pauline Robinson; mark@mfosterlaw.com; Vicki Gordon Kaufman
Subject: Docket No. 100373-TX
Attachments: Response to Staff 2nd Data Request 1.27.12.pdf

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

a. The name, address, telephone number and email for the person responsible for the filing is:

Vicki Gordon Kaufman
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b. This filing is made in Docket No. 100373-TX.

c. The document is filed on behalf of Telecom Ventures, LLC.

d. The total pages in the document are 2 pages.

e. The attached document is Telecom Ventures, LLC Responses to Staff's 2nd Data Request.

Kim Hancock
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January 27, 2012

Beth Salak
Director, Division of Regulatory Analysis
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 100373-TX, Request for transfer of and name change on CLEC Certificate No. 8467 held by New Talk, Inc. to Telecom Ventures, LLC d/b/a/ Dialtone Ventures, LLC

Dear Ms. Salak:

This correspondence is in response to your letter of January 5, 2012, seeking additional information regarding Telecom Ventures, LLC (Telecom Ventures). Telecom Ventures has attached to this correspondence the answers to Staff's questions.

Please contact me if you have any questions.

Sincerely,

Vicki Gordon Kaufman
Counsel to Telecom Ventures, LLC

Enclosure

cc: Mark Foster
Pauline Robinson (w/ encl).

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19) In response to data request No. 5, which asked what the current amount of money in dispute between New Talk and AT&T is, Telecom Ventures stated that AT&T owes New Talk, Inc. approximately $13,352.38 in credits and/or refunds. New Talk's November 30, 2011 filing with the Texas PUC (Control No. 38389, Item No. 47) states:

> AT&T is incorrect when it claims that New Talk disputes only $4,650,897.13 in months billed. In fact, on September 30, 2011, New Talk sent a letter to AT&T Texas with attachments detailing additional disputed billing amounts, totaling at least $6,221,922 as of that date.

It appears that New Talk is admitting that it is disputing $10,872,819.13 in billing. Please explain the discrepancy between the December 16, 2011 response to this Commission and the November 30, 2011 Texas PUC filing.

ANSWER: The figure in response to Data Request No. 5 should have been $13,352,680.38, not $13,352.28. The November 30, 2011, Texas PUC filing only addressed the new dispute between New Talk, Inc. and AT&T, in response to AT&T's counterclaim filed on November 11, 2011. An amended petition was filed by New Talk in Texas PUC Docket No. 38389 on January 19, 2012, which explains all issues in dispute.

20) In response to staff data request No. 4, Telecom Ventures states:

> The transferring company, New Talk, Inc., has sufficient resources to fund operations through loans to telecom ventures, LLC until such time as cash flow generated by Telecom Ventures funds all activities.

If a ruling is made against New Talk and it is liable for $10,872,819.13, how would it affect Telecom Ventures, LLC financial viability?

ANSWER: New Talk does not expect such a ruling. However, Telecom Ventures, LLC can obtain funding from outside sources, investors, and individuals.

21) Is AT&T approval required to transfer New Talk Florida interconnection agreement to Telecom Ventures, LLC? Is so, has AT&T approved the transfer?

ANSWER: No request has been made to AT&T to transfer the New Talk Florida interconnection agreement. It is New Talk's experience that AT&T would reject such request as premature. When Telecom Ventures, LLC receives certification as a Florida CLEC, it will seek such transfer or, alternatively, request to opt into another interconnection agreement which has been identified.