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March 15, 2012

Judy Harlow
c/o Ann Cole
Commission Clerk
Office of Commission Clerk
Floridat PSC
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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Re: Docket No. 110303-OT

In response to your data request, please find attached the responses for Birch Communications, Inc. Same responses apply to Birch Telecom of the South, Inc. dba Birch Communications.

Please contact me at 816-300-1049 or email me, Angela.Hoke@birch.com, should you have any questions.

Sincerely,

Angela Hoke
Manager, Security & Fraud
Birch Communications, Inc.
2300 Main St, Ste 340
Kansas City, MO 64108

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Birch Communications. At your service.

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Rule 25-4.0161, F.A.C. – Survey Questions

The following survey questions apply to **Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies**. For responding to these questions, please refer to Subsection 120.541(2), F.S., and Subparagraph 120.745(1)(b)2, F.S. “Transactional costs” are defined in Subparagraph 120.541(2)(d), F.S., as:

...direct costs that are readily ascertainable based upon standard business practices, including filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

The company’s response data to these survey questions should be provided for the entire rule, unless the response data is available by rule section, in which case we request the response data be provided by rule section. Please present data in annualized format, if possible, and all cost or benefit dollar estimates should be stated in nominal terms.

1. What are the estimated transactional costs resulting from the Company’s compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?
 - a. What are your actual transactional costs resulting from your Company’s compliance with Rule 25-4.0161, F.A.C., for the period July 1, 2011 through December 31, 2011?
There are no additional costs for Birch since we comply with the rule already
2. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small businesses (as defined by Section 288.703, F.S.) located in the Company’s service territory, resulting from the compliance of Rule 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?
We have no information on other companies to form a basis to answer this question
3. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on small counties and small cities (as defined in Section 120.52, F.S.) located in the Company’s service territory, resulting from the compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?
We have no information on counties or cities to form a basis to answer this question
4. What is your estimate of the likely impact, stated in terms of costs and/or benefits, on entities located in the Company’s service territory other than those specifically identified in Questions 2 and 3, resulting from the compliance of 25-4.0161, F.A.C., for the five year period beginning July 1, 2011?
We have no information to form a basis to answer this question
5. What expected impact do you believe Rule 25-4.0161, F.A.C., will have on economic growth, private sector job creation or employment, and private sector investment for the five year period July 1, 2011 in the Company’s service territory?
We have no information to form a basis to answer this question
6. What expected impact do you believe Rule 25-4.0161, F.A.C., will have on business competitiveness, including the ability of persons doing business in the Company’s service territory to
Same as #5 & #6

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compete with persons doing business in states other than Florida or other domestic markets, productivity, and innovation, for the five year period July 1, 2011?

7. What are the benefits to your Company associated with Rule 25-4.0161, F.A.C.?

We are aware of no benefits to the company associated with this rule

8. Since the December 4, 2011 rule change has your Company revised customer rates in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any rate changes that were made.

No

9. If the Company did revise customer rates after the rule change, what were the specific costs associated with processing and implementing these rate changes?

N/A

10. Does the Company anticipate having to revise customer rates in the future in order to comply with Rule 25-4.0161, F.A.C.? If so, please explain any anticipated rate changes for the five year period beginning July 1, 2011.

Not at this time

11. If the company anticipates revising customer rates in order to comply with Rule 25-4.0161, F.A.C., what costs does the company expect to incur to process and implement the rate changes for the five year period beginning July 1, 2011?

N/A