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DATE: March 29, 2012

TO: Office of Commission Clerk (Cole)

FROM: Office of the General Counsel (Tan) *Tan*
Division of Regulatory Analysis (King, Miller) *King Miller*

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.

AGENDA: 04/10/12 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Edgar

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\GCL\WP\090538.RCM.DOC

Case Background

On March 7, 2012, Qwest Communications Company, LLC d/b/a CenturyLink (QCC) filed a Voluntary Dismissal of Lightyear Network Solutions, LLC (Lightyear) in the above referenced docket. QCC asserts that it has entered into a settlement agreement resolving the

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Docket No. 090538-TP
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issues raised in its Amended Complaint¹ as they relate to Lightyear. The remaining Respondents include 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.; Bullseye Telecom, Inc.; DeltaCom, Inc.; Ernest Communications, Inc.; Flatel, Inc; Navigator Telecommunications, LLC; PaeTec Communications, Inc.; STS Telecom, LLC; US LEC of Florida, LLC; Windstream NuVox.²

This recommendation addresses QCC's Voluntary Dismissal With Prejudice of Lightyear. The Commission is vested with jurisdiction over this matter pursuant to Chapter 364, Florida Statutes, (F.S.).

¹QCC filed a complaint on December 11, 2009, alleging rate discrimination in connection with the provision of intrastate switched access services. QCC was granted leave to file an Amended Complaint on October 22, 2010, adding additional Respondents.

² Staff notes that on April 6, 2011, Qwest filed a Notice of Voluntary Dismissal without Prejudice of Cox Florida Telecom, L.P., releasing Cox Florida Telecom, L.P. as a party to the complaint.