

**Eric Fryson**

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**Sent:** Tuesday, May 08, 2012 3:34 PM  
**To:** Filings@psc.state.fl.us  
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**Subject:** RE: PSC Filing Dkt 090538-TP - Birch (BCI/AIN) Notice of Serving 2nd Set of Discovery QINT#5 & QDR4  
**Attachments:** BIRCH Notice to PSC 2nd Set of QDisc.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  
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**Docket Name and Number:** Docket No. 090538-TP – Amended Complaint of Qwest Communications Company, LLC against MCI/metro 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:** Birch Communications, Inc. f/k/a Access Integrated Networks, Inc. (BCI/AIN)

**Total Number of Pages:** 4

**Description of Documents:** Birch Communications Notice of Serving 2<sup>nd</sup> Set of Interrog (No 5) and 2<sup>nd</sup> Set of DR (No. 4) to Qwest Comm.

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# GUNSTER

FLORIDA'S LAW FIRM FOR BUSINESS

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**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.

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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: May 8, 2012
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.	}	

**BIRCH COMMUNICATIONS, INC.'S NOTICE OF SERVING SECOND SET OF INTERROGATORIES (NOS. 5) AND SECOND SET OF DOCUMENT REQUESTS (NO. 4) TO QWEST COMMUNICATIONS COMPANY, LLC**

BIRCH COMMUNICATIONS, INC. f/k/a Access Integrated Network, Inc. ("BCI/AIN," or "the Company"), by and through its undersigned counsel, hereby gives notice that the Company has served its Second Set of Interrogatories (No. 5) and Second Set of Document Requests (No. 4) to Qwest Communications Company, LLC by electronic mail and/or U.S. Mail to Ms. Susan Masterton of CenturyLink and Mr. Adam Sherr of Qwest Communications, Company, LLC. Copies of same have been provided to parties consistent with the attached Certificate of Service.

This notice is respectfully submitted by electronic mail the 8th day of May, 2012.



**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

FILED MAY 8 2012  
 02946 MAY-8 2012

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**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 8th day of May, 2012.

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>
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<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>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>
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<p>Pennington Law Firm  Howard Adams  P.O. Box 10095  Tallahassee, FL 32302  <a href="mailto:gene@penningtonlaw.com">gene@penningtonlaw.com</a></p>	<p>Ms. Rebecca A. Edmonston  Verizon Access Transmission Services  106 East College Avenue, Suite 710  Tallahassee, FL 32301-7721  <a href="mailto:rebecca.edmonston@verizon.com">rebecca.edmonston@verizon.com</a></p>

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<p>Jane J. Whang Davis Wright Tremaine, LLP 505 Montgomery Street, Suite 800 San Francisco, CA 94111-6533 <a href="mailto:janewhang@dwt.com">janewhang@dwt.com</a></p>	<p>Ms. Bettye Willis 13560 Morris Rd., Suite 2500 Milton, GA 30004 <a href="mailto:Bettye.j.willis@windstream.com">Bettye.j.willis@windstream.com</a></p>

By:   
Matthew Feil, Esq.