

Eric Fryson

From: Ann Bassett [abassett@lawfla.com]
Sent: Thursday, January 10, 2013 3:51 PM
To: Filings@psc.state.fl.us
Subject: Docket No. 100434-TP
Attachments: 2013-01-10, Nexus Status Report.pdf

The person responsible for this electronic filing is:

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The Docket No. is 100434-TP – : Complaint and petition for relief by Nexus Communications, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida for dispute over interpretation of interconnection agreement regarding cash back promotions

This is being filed on behalf of Nexus Communications, Inc.

Total Number of Pages is 5

Nexus Communications, Inc.'s Status Report

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January 10, 2013

BY ELECTRONIC FILING

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

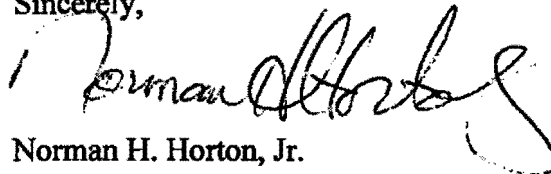
Re: Docket No. 100434-TP

Dear Ms. Cole:

Enclosed for filing on behalf of Nexus Communications, Inc. d/b/a Nexus Communications TSI, Inc. is an electronic version of a Status Report in the above referenced docket.

Thank you for your assistance.

Sincerely,



Norman H. Horton, Jr.

NHH/amb

Enclosure

cc: Christopher Malish, Esq.
Parties of Record

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and petition for relief by)
Nexus Communications, Inc. against BellSouth)
Telecommunications, Inc. d/b/a AT&T Florida)
for dispute over interpretation of interconnection) DOCKET NO. 100434-TP
agreement regarding cash back promotions.)
_____)

NEXUS COMMUNICATIONS, INC.'S STATUS REPORT

Nexus Communications, Inc. ("Nexus") files this *Status Report* regarding the above-styled complaint against BellSouth Telecommunications, Inc., d/b/a AT&T Florida regarding cash back promotions and states:

1. In addition to the disputes in Florida, the parties are currently engaged in extensive, high-level, and broad-ranging settlement negotiations regarding disputes across all states wherein both parties conduct business. To that end, the parties have exchanged voluminous informal discovery, continue frequent communication, and have agreed in principle to the terms of the settlement.

2. Most recently, on January 4, 2013, the parties exchanged communications indicating that AT&T is currently reconciling the relevant accounts and disputed financial amounts. AT&T indicated it would again communicate with Nexus, possibly as soon as the latter portion of this week (January 7-11, 2013).

3. In addition to the aforementioned tentative resolution regarding the parties' disputes, the parties will advise the Commission of any final resolution regarding same. The parties do not yet have a specific timetable established as to when the final resolution of these

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issues will be complete; however, the parties have every expectation of reaching a final settlement agreement very soon.

4. Because the settlement negotiations are at a high-level and incorporate records, information, and proceedings across many jurisdictions,¹ including a case involving the same or similar issues between the parties which has advance further than the instant matter² and Nexus' appeal of a recent order issued in Texas,³ the parties are working in good faith to resolve such issues which will then have a direct effect on the specific issues now before the Commission.

5. Therefore, Nexus respectfully requests the Commission allow the instant matter to remain in abeyance pending the outcome of the ongoing settlement negotiations.

[Signature block is on the following page.]

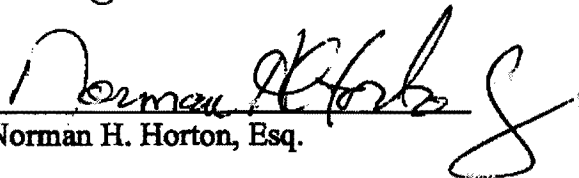
¹ E.g., *Nexus Communications, Inc., v. BellSouth Telecommunications, Inc., d/b/a AT&T Alabama or AT&T Southeast*, Docket No. 31516 before the Alabama Public Service Commission; *In re: Complaint and petition for relief by Nexus Communications, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida for dispute over interpretation of interconnection agreement regarding cash back promotions*, Docket No. 100434-TP before the Florida Public Service Commission; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Georgia; Dispute Over Interpretation of Parties' Interconnection Agreement Regarding AT&T's Failure to Extend Full Value of Cash Back Promotions to Nexus*, Docket No. 32945U before the Georgia Public Service Commission; *Nexus Communications, Inc. v. Indiana Bell Telephone Company Incorporated d/b/a AT&T Indiana*, Cause No. 43988 before the Indiana Utility Regulatory Commission; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky*, Case No. 2010-00444 before the Kentucky Public Service Commission; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Louisiana*, Docket No. U-31749 before the Louisiana Public Service Commission; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Mississippi*, Docket No. 2010-AD-385 before the Mississippi Public Service Commission; *Nexus Communications, Inc. v. The Ohio Bell Telephone Company d/b/a AT&T Ohio*, Case No. 10-2518-TP-CSS before the Public Utilities Commission of Ohio; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina*, Docket No. 2010-377-C before the Public Service Commission of South Carolina; and *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee*, Docket No. 10-00212 before the Tennessee Regulatory Authority.

² See, *Nexus Communications, Inc. v. Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri*, File No. TC-2011-0132 before the Missouri Public Service Commission.

³ See, *Nexus Communications, Inc. v. Nelson, et al.*, Case No. 1:12-CV-0555-SS before the United States District Court, Western District of Texas – Austin Division.

Respectfully submitted,

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Texas State Bar No. 00791164
(Admitted *pro hac vice* in Florida)

Attorneys for Nexus Communications, Inc.

CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing document has been served on the following on this 10th day of January 2013, electronically, via facsimile, and/or through U.S.

First Class Mail.

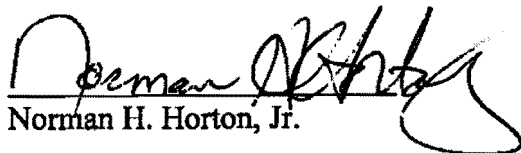
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