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May 5, 2015

Carlotta Stauffer, Commission Clerk
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**Re: Docket No.: 140156-TP: Petition of Communications Authority, Inc.
for Section 252(b) Arbitration**

Dear Ms. Stauffer:

Enclosed is BellSouth Telecommunications, LLC d/b/a AT&T Florida's Response to Communications Authority's Motion to Disqualify and Recuse, which we ask that you file in the captioned docket.

Copies have been served to the Parties shown on the attached Certificate of Service list.

Sincerely,

s/Tracy W. Hatch

Tracy W. Hatch

cc: All Parties of Record
Elise R. McCabe

1131172

CERTIFICATE OF SERVICE
Docket No. 140156-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail this 5th day of May, 2015 to the following:

Lee Eng Tan
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Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
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Communications Authority
Mike Ray
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Lakewood Ranch, FL 34202
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s/Tracy W. Hatch
Tracy W. Hatch

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Re: Petition for Arbitration of Interconnection) Docket 140156-TP
Agreement Between BellSouth Telecommunications,)
LLC d/b/a AT&T Florida and Communications) Filed: May 5, 2015
Authority, Inc)

**AT&T FLORIDA’S RESPONSE TO COMMUNICATIONS AUTHORITY’S
MOTION TO DISQUALIFY AND RECUSE**

BellSouth Telecommunications, LLC d/b/a AT&T Florida (“AT&T Florida”), pursuant to Rule 28.106-204, Florida Administrative Code, hereby responds to Communications Authority, Inc.’s (“CA”) Motion to Disqualify and Recuse Commissioner Patronis. In support AT&T Florida states:

1. AT&T Florida received its service copy of the Motion to Disqualify and Recuse at 4:20 p.m., May 4, 2015.

2. AT&T Florida does not believe it would be appropriate for it to comment on the merits of the Motion, and so does not do so. AT&T Florida notes, however, that Commissioner Patronis has been identified on the Commission Calendar as a member of the panel in this proceeding since at least April 10, 2015.¹ Whatever Commissioner Patronis or the Commission decides, AT&T Florida will abide by that decision.

3. AT&T Florida opposes CA’s suggestion of a continuance of the hearing in this case. First, the stated rationale for a possible continuance is the very limited time available to rule on the Motion. As noted above, however, the names of the members of the Panel have been posted for weeks, so the time limitation is of CA’s own making. Second, the hearing timeline is already far longer than most prior ILEC/CLEC arbitrations. Third, AT&T Florida’s witnesses

¹ See Attached Exhibit 1, Commission Calendar dated April 10, 2015. This is the earliest version available to AT&T Florida.

are already in transit to Tallahassee to attend the hearing at considerable expense. Fourth, two of AT&T Florida's witnesses are scheduled to retire at the end of June. A continuance would constitute a severe hardship for AT&T Florida.

4. Regardless of the outcome of the Motion, the Commission can proceed with the hearing. The Commission can proceed with the two remaining members as a panel or the Chairman of the Commission can appoint one or more additional commissioners to the panel. If additional commissioners are unavailable for the live hearing, they can review transcripts and exhibits from the hearing and be fully qualified to sit at the agenda conference in the matter.

5. CA will not be prejudiced by proceeding to hearing regardless of the outcome of the Motion. AT&T Florida would be severely prejudiced by any continuance.

WHEREFORE, for the foregoing reasons, AT&T Florida urges the Commission not to continue the hearing.

Respectfully submitted this 5th day of May, 2015.

By: s/Tracy W. Hatch

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