

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.

DOCKET No. 981834-TP

In re: Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida Incorporated and GTE Florida comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost efficient physical collocation.

DOCKET No. 990321-TP *err*

Filed: January 5, 2000

**REQUEST FOR REPRESENTATION BY A QUALIFIED REPRESENTATIVE**

MGC Communications, Inc. (MGC), submits its Request for Representation by a Qualified Representative pursuant to Rule 28-106.106, Florida Administrative Code, in the above-referenced proceeding, and states as follows:

1. MGC is a certified alternative local exchange carrier and provides service in the state of Florida. MGC is located at 5607 Glenridge Drive, Suite 310, Atlanta, Georgia, 30342
2. This petition is filed pursuant to Rule 28-106.106, Florida Administrative Code. Rule 18-106.106(2)(a) requires that MGC submit a written request to the presiding officer in the event that MGC elects to be represented before the Commission by a qualified representative. MGC hereby submits such a request.
3. MGC seeks leave of the presiding officer for the individual identified below to appear as a qualified representative on behalf of MGC for any purpose and in all matters or proceedings conducted before the Commission in connection with Docket Nos. 981834-TP and 990321-TP.

AFA \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMU \_\_\_\_\_  
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John G. Kerkorian  
Regional Vice President, Legal  
MGC Communications, Inc.  
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(404) 554-1000 (telephone)  
(404) 554-0010 (fax).

4. Consistent with Rule 25-106.106(2)(b), MGC hereby affirms that it is aware of the services Mr. Cutler can provide and, further, that MGC can elect to be represented solely by “counsel,” as that term is defined by Rule 28-106.106(1).

5. MGC submits that Mr. Kerkorian possesses the necessary qualifications to responsibly represent MGC’s interests in this matter. In this regard, Mr. Kerkorian’s qualifications are set forth in the attached affidavit.

6. As reflected in Mr. Kerkorian’s affidavit, he: (I) is an attorney admitted to practice in California and Arizona; (ii) has reviewed those portions of the Florida Statutes relative to the Commission’s jurisdiction, (iii) has reviewed the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; and (iv) has reviewed those portions of the Florida Administrative Code and Florida Statutes related to the rules of evidence, including the concept of hearsay in an administrative proceeding.

7. Consistent with the standard set forth in Rule 28-106.107, Mr. Kerkorian has acquired or will acquire actual knowledge of the factual and legal issues involved insofar as his representation of MGC is concerned in the above-referenced proceeding.

**WHEREFORE**, for the above and foregoing reasons, MGC Communications, Inc. requests that Mr. Kerkorian be permitted to appear as a qualified representative on behalf of MGC

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Communications, Inc.

A handwritten signature in black ink, appearing to read 'John G. Kerkorian', written over a horizontal line.

John G. Kerkorian  
Regional Vice President, Legal  
MGC Communications, Inc.  
5607 Glenridge Drive  
Atlanta, GA 30342  
(404) 554-1000 (telephone)  
(404) 554-0010 (fax).

## CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of MGC Communications, Inc.'s Request for Representation by a Qualified Representative has been furnished by (\*) hand delivery or U. S. Mail this 4<sup>th</sup> day of January 2000 to the following:

(\*)Beth Keating  
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John Kerkorian