

Case Assignment and Scheduling Record

Section 1 - Bureau of Records and Hearings      vices Completes

Docket No. 021061-TP      Date Docketed: 10/18/2002      Title: Petition of CNM Networks, Inc. for declaratory statement that CNM's phone-to-phone Internet protocol (IP) telephony is not "telecommunications" and that CNM is not a "telecommunications company" subject to Florida Public Service Commission jurisdiction.

Company: CNM Network, Inc.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_      Expiration: \_\_\_\_\_

Referred to:      AUS   CAF   CCA   CMP   ECR   EXT (GCL)   MMS   PIF  
 ("(") indicates OPR)      \_\_\_\_\_   \_\_\_\_\_   \_\_\_\_\_   X   \_\_\_\_\_   \_\_\_\_\_   X   \_\_\_\_\_

Section 2 - OPR Completes and returns to CCA in 10 workdays.      Time Schedule

Program/Module A12(a);B8(a)

Staff Assignments

<u>OPR Staff</u>	_____
_____	_____
_____	_____
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<u>Staff Counsel</u>	_____
_____	_____
<u>OCRs (CMP)</u>	_____
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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 415-6770  
 Current CASR revision level

0

Due Dates

Previous      Current

1.	_____	_____	_____
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40.	_____	_____	_____

Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_      Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_      Staff \_\_\_\_\_

Date filed with CCA: \_\_\_\_\_

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners					Hrg. Exam.	Staff
ALL						

- Prehearing Officer

Commissioners					ADM
JB	DS	BZ	PL	BD	

DOCUMENT NO  
  
15552-02

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_  
 Date:    /    /



STATE OF FLORIDA

COMMISSIONERS:  
LILA A. JABER, CHAIRMAN  
J. TERRY DEASON  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI  
RUDOLPH "RUDY" BRADLEY



DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

## Public Service Commission

October 24, 2002

Floyd R. Self, Esquire  
Messer, Caparello & Self Law Offices  
Post Office Box 1876  
Tallahassee, Florida 32302-1876

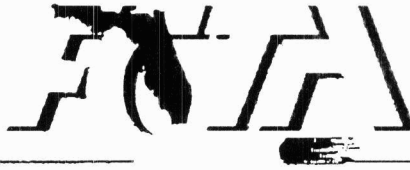
Re: Docket No. 021061-TP

Dear Mr. Self:

This will acknowledge receipt of a petition of CNM Networks, Inc. for declaratory statement that CNM's phone-to-phone Internet protocol (IP) telephony is not "telecommunications" and that CNM is not a "telecommunications company" subject to Florida Public Service Commission jurisdiction, which was filed in this office on October 18, 2002, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission



Florida Cable Telecommunications Association

Steve Wilkerson, President

VIA FACSIMILE

October 25, 2002

Ms. Blanca S. Bayo, Director  
Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RE: FPSC Docket No. 021061

Dear Ms. Bayo:

I am writing to request that the Florida Cable Telecommunications Association, Inc. ("FCTA") be placed on the mailing list of persons interested in monitoring the above-referenced docket. Please send all mailings to the following:

Michael A. Gross  
Vice President, Regulatory Affairs & Regulatory Counsel  
Florida Cable Telecommunications Association, Inc.  
246 E. 6<sup>th</sup> Avenue, Suite 100  
Tallahassee, FL 32303  
850/681-1990 Tel.  
850/681-9676 Fax  
E-Mail Address: mgross@fcta.com.

Thank you for your assistance in this matter. Please contact me with any questions.

Sincerely,

*Michael A. Gross*

Michael A. Gross  
Vice President, Regulatory Affairs  
& Regulatory Counsel

MAG:mj

*Jone 10/31/02*

DOCUMENT NO.  
*1552702*



2292 Wednesday Street, Suite 2 • Tallahassee, FL 32308-4334  
phone: 850.205.6000 • fax: 850.205.6001  
toll-free: 800.252.0523  
www.coraltelecom.com

November 6, 2002

-----VIA FACSIMILE-----

Blanca S. Bayó, Director  
Division of the Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

RECEIVED-FPSC  
02 NOV -6 AM 9:51  
COMMISSION  
CLERK

Re: Docket No. 021061-TP

Dear Ms. Bayó:

Coral Telecom, Inc. requests that it be included on the mailing list as an interested entity in each of the above-referenced dockets. Please address all correspondence as follows:

Angela B. Green, General Counsel  
Coral Telecom, Inc.  
2292 Wednesday Street, Suite 2  
Tallahassee, Florida 32308

Thank you for your assistance with this matter.

Sincerely,

Angela B. Green  
General Counsel

021061\_mailing\_list.doc

*Done 11/6/02*

M E M O R A N D U M

NOVEMBER 22, 2002

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (CIBULA) *S.M.C.*

RE: DOCKET NO. 021061-TP - PETITION OF CNM NETWORKS, INC. FOR DECLARATORY STATEMENT THAT CNM'S PHONE-TO-PHONE INTERNET PROTOCOL (IP) TELEPHONY IS NOT "TELECOMMUNICATIONS" AND THAT CNM IS NOT A "TELECOMMUNICATIONS COMPANY" SUBJECT TO FLORIDA PUBLIC SERVICE COMMISSION JURISDICTION.

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Attached is an ORDER AUTHORIZING QUALIFIED REPRESENTATIVE STATUS to be issued in the above-referenced docket. (Number of pages in order - 2)

DATE ORDER SENT ELECTRONICALLY TO CCA *11-25-02*

SC/ALC/jb  
I:021061a.alc

DOCUMENT NO

*15552-02*

CCA Official Filing:

11/26/02\*\*\*\*\*8:45 AM\*\*\*\*\*Matilda Sanders\*\*\*\*\*1

**Matilda Sanders**

02-1660-FOF

**From:** Janice Banka  
**Sent:** Tuesday, November 26, 2002 8:41 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

**Date and Time:** 11/26/02 8:41:00 AM  
**Docket Number:** 021061-TP  
**Filename / Path:** 021061a.alc  
**Order Type:** Signed / Hand Deliver

RECEIVED-TPSD  
02 NOV 26 AM 10:41  
COMMISSION  
CLERK

Order Authorizing Qualified Representative Status.

Number of pages in order - 2.

Thanks "J"

4/0

CCA Official Filing:

12/13/02\*\*\*\*\*9:50 AM\*\*\*\*\*Kay Flynn\*\*\*\*\*1

021061-TP

Kay Flynn

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**From:** Denise Karnes  
**Sent:** Friday, December 13, 2002 9:45 AM  
**To:** Alina Dieguez; Beth Salak; Bev DeMello; Blanca Bayo; Bob Trapp; Braulio Baez; Carol Purvis; Cayce Hinton; Chelsea Garfield; Chuck Hill; Cindy Miller; Dan Hoppe; Della Fordham; Diane Lee; Dorothy Boone; Gena Harkins; Harold McLean; Hurd Reeves; Ignacio Ortiz; J. Terry Deason; James Ward; Janet Brunson; Janet Harrison; JoAnn Chase; John Grayson; Kathleen Stewart; Katrina Tew; Kay Flynn; Kay Posey; Kevin Bloom; Kevin Neal; Kimberly Griffin; Lila Jaber; Linda Duggar; Martha Golden; Mary Bane; Mary Macko; Michael A. Palecki; Norma Jenkins; Pat Dunbar; Patsy White; Richard Tudor; Roberta Bass; Rudy Bradley; Sharon Allbritton; Susie Folsom; Thelma Crump; Tim Devlin; Veronica Washington; Walter D'Haeseleer  
**Subject:** Items of Interest at Upcoming Agenda Conference



121302PRL.wpd

The attached prerelease was sent to the daily newspapers this morning, 12/13/02.





State of Florida  
**Public Service Commission**  
**NEWS RELEASE**

December 13, 2002

Contact: Kevin Bloom or Thelma Crump ♦ 850-413-6482

**ITEMS OF INTEREST AT UPCOMING AGENDA CONFERENCE**

TALLAHASSEE – The following issues are among those scheduled for consideration during the December 17, 2002 Agenda Conference.

ITEM 3 - DOCKET NO. 021061-TP - PETITION OF CNM NETWORKS, INC. FOR DECLARATORY STATEMENT THAT CNM'S PHONE-TO-PHONE INTERNET PROTOCOL (IP) TELEPHONY IS NOT "TELECOMMUNICATIONS" AND THAT CNM IS NOT A "TELECOMMUNICATIONS COMPANY" SUBJECT TO FLORIDA PUBLIC SERVICE COMMISSION JURISDICTION. The Commission will consider a number of legal motions in addition to a staff recommendation to open a generic proceeding to address issues raised in connection with phone-to-phone Internet protocol telephony.

ITEM 9 - DOCKET NO. 000121B-TP - INVESTIGATION INTO THE ESTABLISHMENT OF OPERATIONS SUPPORT SYSTEMS PERMANENT PERFORMANCE MEASURES FOR INCUMBENT LOCAL EXCHANGE TELECOMMUNICATIONS COMPANIES. (SPRINT-FLORIDA TRACK) The Commission will consider a staff recommendation to establish permanent performance measures to evaluate operational support systems provided by Sprint to alternative local exchange carriers.

ITEM 23 - DOCKET NO. 021164-EI - PETITION FOR AUTHORIZATION TO INCREASE RESERVE FOR STORM DAMAGE BY MAKING A ONE-TIME EXPENSE ACCRUAL TO RESERVE BEFORE DECEMBER 31, 2002. The Commission will consider whether to allow FP&L to make a one-time expense accrual of between \$25 million to \$35 million to increase its Reserve for Storm Damage.

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**CCA Official Filing:**

**12/31/02\*\*\*\*\*9:09 AM\*\*\*\*\*Kay Flynn\*\*\*\*\*1**

Kay Flynn

PSC-02-1858

5

**From:** Mary Diskerud  
**Sent:** Tuesday, December 31, 2002 9:09 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

**Date and Time:** 12/31/02 9:08:00 AM  
**Docket Number:** 021061-tp  
**Filename / Path:** 021061or.smc

copied to gcorders

21/0

CCA Official Filing:

11/26/02\*\*\*\*\*8:45 AM\*\*\*\*\*Matilda Sanders\*\*\*\*\*1

**Matilda Sanders**

02-1661-FOF

**From:** Janice Banka  
**Sent:** Tuesday, November 26, 2002 8:41 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

**Date and Time:** 11/26/02 8:40:00 AM  
**Docket Number:** 021061-TP  
**Filename / Path:** 021061b.alc  
**Order Type:** Signed / Hand Deliver

RECEIVED  
02 NOV 26 AM 10:41  
COMMISSION  
CLERK

Order Authorizing Qualified Representative Status.

Number of pages in order - 2.

Thanks "J"

4/0