041269-TP BellSouth's Supplemental Instructions to the Clerk filed in Appeal No. 4:06-C... Page 1 of 1

# Timolyn Henry

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ORIGINAL

From: Fatool, Vicki [Vicki.Fatool@BellSouth.COM]

Sent: Thursday, May 25, 2006 4:23 PM

To: Filings@psc.state.fl.us

Subject: 041269-TP BellSouth's Supplemental Instructions to the Clerk filed in Appeal No. 4:06-CV-00072-RH-WCS

Importance: High

Attachments: 041269-T.pdf

- Vicki Fatool
   Legal Secretary to James Meza III and Manuel A. Gurdian
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   150 South Monroe Street
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   Tallahassee, Florida 32301
   (305) 347-5560
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- B. Docket No. 041269-TP

Petition to Establish Generic Docket to Consider Amendments to Interconnection

Agreements Resulting from Changes of Law

- C. BellSouth Telecommunications, Inc. on behalf of James Meza III
- D. 7 pages total (includes letter, certificate of service and pleading)
- E. BellSouth Telecommunications, Inc.'s Supplemental Instructions to the Clerk filed in Change of Law appeal; Case No. 4:06-CV-00072-RH-WCS

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Legal Department

JAMES MEZA III General Counsel - Florida

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (305) 347-5558

May 25, 2006

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

# Re: <u>Docket No. 041269-TP</u> In re: Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting From Changes of Law

Dear Ms. Bayo:

Enclosed are Supplemental Instructions to the Clerk which were filed today in the U. S. District Court Appeal 4:06-CV-00072-RH-WCS. We ask that you also file these instructions in the captioned docket.

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

Sincerely,

James N Jeza II- /V.F.

James Meza III

cc: All Parties of Record Jerry D. Hendrix E. Earl Edenfield, Jr.

00CUMENT NUMBER-DATE

FPSC-COMMISSION CLERK

## CERTIFICATE OF SERVICE Docket No. 041269-TP

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

Electronic Mail and U.S. Mail this 25th day of May, 2006 to the

following:

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(+ )signed Protective Agreement (\*) via FedEx

### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA TALLAHASSEE DIVISION

DIECA COMMUNICATIONS, INC., etc.,

Plaintiff,

v.

THE FLORIDA PUBLIC SERVICE COMMISSION et al.,

Civil Action No. 4:06-cv-00072-RH-WCS

Defendants.

#### SUPPLEMENTAL INSTRUCTIONS TO CLERK

Defendant BellSouth Telecommunications, Inc. ("BellSouth"), in accordance with the Joint Rule 26(f) Report filed by the parties on April 21, 2006, hereby submits these Supplemental Instructions to the Clerk of the Florida Public Service Commission to request that the relevant portions of the record in the proceeding below, Docket No. 0041269-TP, be forwarded to the Court.

In addition to those portions of the record requested by DIECA Communications on May 16, 2006, BellSouth requests the Clerk to forward the following documents. Note all hearing exhibits were provided to the Clerk at the hearing and do not appear on the Florida Public Service Commission's website.

PSC Document	Description
Hearing Exhibit 2	Composite of Responses to Staff's First Interrogatories, pp. 3-4
Hearing Exhibit 3	Composite of Responses to Staff's Second Interrogatories, pp. 20, 27, 30-33

Hearing Exhibit 4	Composite of Responses to Staff's Third Interrogatories, pp. 52-53, 55-59
Hearing Exhibit 12	Exhibit to Eric Fogle's Direct Testimony – Line Sharing Change of Law Amendment
Hearing Exhibit 13	Exhibit to Eric Fogle's Direct Testimony – Line Sharing Amendment Rates
Hearing Exhibit 23	First Revised Exhibit to Rebuttal Testimony of Joseph P. Gillan, pp. 40-46
10924-05	Hearing Transcript, Volume 3, pp. 291-347, 382, filed 11/14/2005

Respectfully submitted,

E. Earl Edenfield, Jr. Chief Counsel - Regulatory Litigation Meredith Mays BELLSOUTH TELECOMMUNICATIONS, INC. 675 W. Peachtree Street, Suite 4300 Atlanta, Georgia 30375 (404) 335-0763 /s/ Sean A. Lev Sean A. Lev KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, P.L.L.C. 1615 M Street, N.W., Suite 400 Washington, D.C. 20036 (202) 326-7975

Susan Clark Harry O. Thomas RADEY THOMAS YON & CLARK 301 S. Bronaugh Street, Suite 200 Tallahassee, Florida 32301 (805) 425-6654

May 26, 2006

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#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been

served on the following party by via regular and electronic mail or via the Court's

CM/ECF system this \_\_\_\_ day of May, 2006.

4

David E. Smith\* Samantha McRae Cibula FLORIDA PUBLIC SERVICE COMMISSION Division of Legal Services 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 <u>rmelson@psc.state.fl.us</u> <u>dsmith@psc.state.fl.us</u> <u>ateitzma@psc.state.fl.us</u> <u>mbarrett@psc.state.fl.us</u> <u>Attorneys for Florida Public</u> Service Commission

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\* via regular and electronic mail \*\* via Court's CM/ECF system <u>/s/ Sean A. Lev</u> Sean A. Lev