

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: February 6, 2008
TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk
FROM: Patricia S. Lee, Senior Analyst, Division of Competitive Markets & Enforcement *PSL*
RE: Correspondence to be placed in Docket No. 060479-TP

The parties in Docket No. 060479-TP advise that the dedicated transport circuits at issue in the dispute have been disconnected. The parties continue working on a true-up for amounts owed for the period the circuits were not unbundled network elements. This was conveyed to staff via e-mail. As such, please file the attached e-mail in the docket file. If you have any questions, please call me.

RECEIVED-FPSC
08 FEB -6 PM 3:46
COMMISSION
CLERK

cc: Laura King, Public Utilities Supervisor, Division of Competitive Markets & Enforcement
Charlene Poblete, Attorney, Office of the General Counsel

DOCUMENT NUMBER-DATE

00946 FEB -6 8

FPSC-COMMISSION CLERK

Pat Lee

From: kimberly.caswell@verizon.com
Sent: Tuesday, January 22, 2008 7:58 AM
To: Pat Lee
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

I'm afraid not. The problem is that XO has no incentive to move quicker on this.

From: Pat Lee [mailto:PLee@PSC.STATE.FL.US]
Sent: Tuesday, January 22, 2008 6:59 AM
To: Caswell, Kimberly (Kim)
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Is there a time frame Verizon and XO are working with for the old circuit numbers?

Pat Lee
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]
Sent: Saturday, January 19, 2008 11:27 PM
To: Pat Lee
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

XO has not been able to check our numbers because it says it needs (I think) the old circuit numbers. They should have all the information, but we are nevertheless going to try to help them.

From: Pat Lee [mailto:PLee@PSC.STATE.FL.US]
Sent: Friday, January 18, 2008 9:39 AM
To: Caswell, Kimberly (Kim)
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Good morning Kim. What is the status of the true-up between you and XO?

Pat Lee

DOCUMENT NUMBER-DATE

00946 FEB-6 8

2/6/2008

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Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]
Sent: Monday, December 17, 2007 4:30 PM
To: Pat Lee
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

XO is still reviewing the numbers we sent them to back up the true-up request.

From: Pat Lee [mailto:PLee@PSC.STATE.FL.US]
Sent: Monday, December 17, 2007 4:23 PM
To: Caswell, Kimberly (Kim)
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Have you and XO worked out the numbers regarding a true-up?

Pat Lee
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]
Sent: Monday, October 22, 2007 10:06 AM
To: Pat Lee
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

I'm waiting for their reply to the calculations I sent them. Will remind them again today.

From: Pat Lee [mailto:PLee@PSC.STATE.FL.US]
Sent: Monday, October 22, 2007 9:20 AM
To: Caswell, Kimberly (Kim)
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Have you and XO worked out the numbers regarding a true-up?

Pat Lee

2/6/2008

DOCUMENT NUMBER-DATE

00946 FEB-6 8

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850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]
Sent: Friday, October 05, 2007 9:56 PM
To: Pat Lee
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

We discussed the true-up in settlement talks on another issue, but it was ultimately not rolled in. However, I understand XO acknowledged that they do owe a true-up. I will contact Beth this week with the numbers I have to try to work something out.

From: Pat Lee [mailto:PLee@PSC.STATE.FL.US]
Sent: Friday, October 05, 2007 7:39 AM
To: Caswell, Kimberly (Kim)
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Good morning Kim. Can you give me an update on where things stand with the complaint? Thanks

Pat Lee
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]
Sent: Tuesday, September 11, 2007 9:58 PM
To: Pat Lee
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

We know they're all disconnected now, but we are owed true-up amounts for the period they had them when they were not UNEs. We hope to work this out without having to pursue the complaint.

From: Pat Lee [mailto:PLee@PSC.STATE.FL.US]
Sent: Tuesday, September 11, 2007 7:48 AM
To: Caswell, Kimberly (Kim)
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Good morning Kim. Just checking to see how things are going with the verification of disconnected circuits. Thanks

2/6/2008

Pat Lee
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]
Sent: Monday, August 27, 2007 9:18 AM
To: Pat Lee
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Yes. We are verifying that the circuits were disconnected in July. I expect the complaint to be dismissed, but it's still working its way through the internal approvals.

"Pat Lee" <PLee@PSC.STATE.FL.US>

"Pat Lee"
<PLee@PSC.STATE.FL.US>

08/27/2007 08:53 AM

To: Kimberly A.
Caswell/EMPL/FL/Verizon@VZNotes
cc: "Laura King" <LKing@PSC.STATE.FL.US>
Subject: RE: Status on Docket 060365-TP & 060479
(XO/VZ)

Good morning Kim. Have you received word from XO whether they plan to disconnect the two circuits in question?

Pat Lee
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]

Sent: Wednesday, August 15, 2007 10:47 PM
To: Pat Lee
Cc: Laura King
Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Yes, they have two of the 14 or so that were the subject of the complaint. Shortly after your last email, I asked XO if they planned to disconnect these circuits, as they had the others. I haven't heard from

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them yet--will follow up with them tomorrow.
"Pat Lee" <PLee@PSC.STATE.FL.US>

"Pat Lee" <PLee@PSC.STATE.FL.US>

08/15/2007 08:51 AM

To

Kimberly A. Caswell/EMPL/FL/Verizon@VZNotes

cc

"Laura King" <LKing@PSC.STATE.FL.US>

Subject

RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Good morning Kim. Have you been able to find out whether XO still has disputed circuits?

Pat Lee
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]

Sent: Thursday, July 26, 2007 10:58 PM

To: Pat Lee

Cc: Laura King

Subject: RE: Status on Docket 060365-TP & 060479 (XO/VZ)

I'm sorry--I really am trying. Having received no response to my previous inquiries, I'm now working with a new person to try to find out whether XO still has disputed circuits. I hope to have an answer early next week.

"Pat Lee" <PLee@PSC.STATE.FL.US>

2/6/2008

"Pat Lee" <PLee@PSC.STATE.FL.US>

07/26/2007 01:44 PM

To

Kimberly A. Caswell/EMPL/FL/Verizon@VZNotes

cc

"Laura King" <LKing@PSC.STATE.FL.US>

Subject

RE: Status on Docket 060365-TP & 060479 (XO/VZ)

Hi Kim. I thought I would follow-up to see if you have heard or decided anything regarding the dispute resolution with XO.

Pat Lee
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]

Sent: Thursday, July 05, 2007 11:49 PM

To: Pat Lee

Cc: Laura King

Subject: RE: FW: Status on Docket 060365-TP & 060479 (XO/VZ)

I left messages this morning with the relevant people to determine whether XO still has DSIs out of offices on our non-impaired wire center list. I will need this information before deciding what to do with our dispute resolution request. I will let you know as soon as I do. Thanks.
"Pat Lee" <PLee@PSC.STATE.FL.US>

"Pat Lee" <PLee@PSC.STATE.FL.US>

07/05/2007 09:35 AM

To

2/6/2008

Kimberly A. Caswell/EMPL/FL/Verizon@VZNotes

cc

"Laura King" <LKing@PSC.STATE.FL.US>

Subject

RE: FW: Status on Docket 060365-TP & 060479 (XO/VZ)

Kim - XO filed a notice of voluntary dismissal of the DN 060365 complaint on June 28, 2007. Will Verizon be filing a similar dismissal of the dispute in DN 060479 or is it still anticipated that a settlement will be filed? Any anticipated time frame?

Thanks

Pat Lee
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]

Sent: Wednesday, May 02, 2007 9:46 PM

To: Pat Lee

Cc: Beth Keating; de.oroark@verizon.com; Laura King; Patrick Wiggins

Subject: RE: FW: Status on Docket 060365-TP & 060479 (XO/VZ)

I understand that we are still trying to work out the details.
"Pat Lee" <PLee@PSC.STATE.FL.US>

"Pat Lee" <PLee@PSC.STATE.FL.US>

05/02/2007 03:16 PM

To

Kimberly A. Caswell/EMPL/FL/Verizon@VZNotes, "Beth Keating"
<Beth.Keating@akerman.com>

cc

2/6/2008

de.oroark@mci.com, "Patrick Wiggins" <PWIGGINS@PSC.STATE.FL.US>, "Laura King" <LKing@PSC.STATE.FL.US>

Subject

RE: FW: Status on Docket 060365-TP & 060479 (XO/VZ)

Good afternoon -

Has there been any progress on finalizing a settlement regarding Dockets 060365 & 060479?

Thanks,

Pat Lee

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
850-413-6453 (Voice)
850-413-6454 (Fax)

-----Original Message-----

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]

Sent: Thursday, April 05, 2007 9:06 AM

To: Laura King

Cc: Beth Keating; de.oroark@verizon.com; Pat Lee; Patrick Wiggins

Subject: Re: FW: Status on Docket 060365-TP & 060479 (XO/VZ)

My understanding is that the parties are trying to set up a meeting to discuss the latest redlined draft of the settlement agreement.

"Laura King"

<LKing@PSC.STATE.

FL.US>

To

de.oroark@mci.com, "Beth Keating"

04/04/2007 11:25

<Beth.Keating@akerman.com>,

AM

Kimberly A.

Caswell/EMPL/FL/Verizon@VZNotes

cc

"Pat Lee" <PLee@PSC.STATE.FL.US>,

"Patrick Wiggins"

<PWIGGINS@PSC.STATE.FL.US>

Subject

2/6/2008

FW: Status on Docket 060365-TP &

060479 (XO/VZ)

Good morning,

Has there been any progress on finalizing a settlement regarding Dockets 060365 & 060479? If so, when should we expect a filing? If not, do we need to move forward here at the Commission?

Thanks,
Laura King

-----Original Message-----

From: kimberly.caswell@verizon.com [mailto:kimberly.caswell@verizon.com]
Sent: Friday, December 08, 2006 11:58 AM
To: Kira Scott
Cc: Keating, Beth; de.oroark@verizon.com
Subject: Re: Status on Docket 060365-TP (XO/VZ)

Verizon and XO had a call earlier this week to discuss the draft settlement agreement. Although we have agreed on the affidavit that underlies the settlement, we are still trying to work out the language for the settlement agreement itself. We hope to have something to file soon.

"Kira Scott"

<KSCOTT@PSC.STATE

.FL.US>

To

Kimberly A.

12/08/2006 09:09

Caswell/EMPL/FL/Verizon@VZNotes,

AM

"Keating, Beth"

<Beth.Keating@akerman.com>

2/6/2008

cc

Subject

Status on Docket 060365-TP

(XO/VZ)

Good morning,

Has there been any progress on finalizing a settlement regarding this matter? Let me know if staff should be expecting a filing soon.

Thanks, I appreciate it.

Kira Scott
Senior Attorney
Office of the General Counsel
Florida Public Service Commission
(850) 413-6216
kscott@psc.state.fl.us <<mailto:kscott@psc.state.fl.us>>

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