

Marguerite McLean

090538-TP

From: Leslie McLaughlin [Leslie.McLaughlin@gray-robinson.com]
Sent: Tuesday, June 01, 2010 2:20 PM
To: Filings@psc.state.fl.us
Cc: Lee Eng Tan; adam.sherr@qwest.com; De.oroark@verizon.com; matthew.feil@akerman.com; Beth Keating; marsha@reuphlaw.com; Jason.topp@qwest.com; gregkopta@dwt.com; aklein@kleinlawpllc.com; azoracki@kleinlawpllc.com; Mary Smallwood
Subject: Docket No. 090538-TP
Attachments: Status Report 6-1-10.pdf

Please find a Status Report for filing in the referenced matter.

Leslie McLaughlin

Legal Assistant to Bill Williams, Amy Schrader & Michael Riley

GrayRobinson, P.A.

301 South Bronough Street, Suite 600

P.O. Box 11189 (32302-3189)

Tallahassee, Florida 32301

Main: 850-577-9090 | Fax: 850-577-3311

GRAY | ROBINSON

ATTORNEYS AT LAW

This e-mail is intended only for the individual(s) or entity(s) named within the message. This e-mail might contain legally privileged and confidential information. If you properly received this e-mail as a client or retained expert, please hold it in confidence to protect the attorney-client or work product privileges. Should the intended recipient forward or disclose this message to another person or party, that action could constitute a waiver of the attorney-client privilege. If the reader of this message is not the intended recipient, or the agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of this communication is prohibited by the sender and to do so might constitute a violation of the Electronic Communications Privacy Act, 18 U.S.C. section 2510-2521. If this communication was received in error we apologize for the intrusion. Please notify us by reply e-mail and delete the original message without reading same. Nothing in this e-mail message shall, in and of itself, create an attorney-client relationship with the sender.

Disclaimer under Circular 230: Any statements regarding tax matters made herein, including any attachments, are not formal tax opinions by this firm, cannot be relied upon or used by any person to avoid tax penalties, and are not intended to be used or referred to in any marketing or promotional materials.

DOCUMENT NUMBER-DATE

04552 JUN-1 2010

FPSC-COMMISSION CLERK

6/1/2010

Qwest

1600 7th Avenue, Room 1506
Seattle, Washington 98191
Phone (206) 398-2507
Facsimile (206) 343-4040

Adam L. Sherr

Associate General Counsel
Regulatory Law



June 1, 2010

Theresa Tan, Esquire
General Counsel's Office
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Status Report
Docket No. 090538-TP

Dear Ms. Tan:

This is to provide a brief update on the steps Qwest Communications Company ("QCC") has taken to obtain information needed to amend its Complaint and to ask the Commission Staff to temporarily postpone holding an issues identification conference until QCC has had an opportunity to amend its complaint in this proceeding. QCC anticipates it will be in position to file an amended complaint in approximately 4 to 6 weeks, but will do so sooner if possible.

QCC filed its complaint initiating this proceeding on December 11, 2009. In January 2010, the Commission (at QCC's request) issued subpoenas duces tecum to interexchange carriers AT&T, MCI and Sprint to produce, among other things, copies of each switched access agreement the subpoenaed IXC had entered into with a Florida CLEC since 1998. While the subpoenas required document production within two weeks, production was delayed as a result of objections filed by the IXCs and the need to negotiate non-disclosure agreements between QCC and each IXC. Beginning in April, the IXCs commenced producing documents responsive to the subpoenas, and that process continues in good faith. QCC is hopeful that the IXCs' document production will be completed within the next two weeks.

The IXCs' production of agreements is a necessary prerequisite to QCC's filing of an amended complaint. Until those agreements are fully disclosed to and then analyzed by QCC, QCC is not able to accurately and comprehensively identify additional respondents to be named in an amended complaint. As document production by the IXCs appears to be nearing a conclusion, QCC is hopeful that it will be able to file its amended complaint by mid-July 2010.

QCC believes it would be unproductive for both the Commission and for the parties to attempt to identify issues or to establish scheduling deadlines prior to the filing of an amended complaint. For example, it will be necessary to provide new respondents with an opportunity to have input on issues in the case and on scheduling hearing dates, discovery and other milestones.

DOCUMENT NUMBER-DATE

04552 JUN-1 2

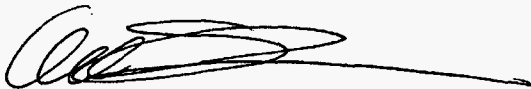
FPSC-COMMISSION CLERK

Ms. Theresa Tan
June 1, 2010
Page 2

Discussion of these issues at this time could lead to the need to completely revisit any decisions made now once new parties are added to the proceeding. Therefore, QCC requests that the issues identification process and related discussions be postponed until the additional respondents are named, and they have had an opportunity to answer the Complaint. Temporarily postponing this process should not result in any adverse consequences for the Commission or the parties.

If you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Adam L. Sherr', with a long horizontal flourish extending to the right.

Adam L. Sherr

cc: Service List (Docket No. 090538-TP)