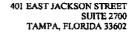
REQUEST FOR CHANGE TO COMMISSION CONFERENCE HAND DELIVER

RECEIVED-FPSC

Defer Item to Conference Scheduled for: Change Order of Item or Take Up at Time Certain Withdraw Item (not expected to return to Agenda) Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing). A copy of the front page of the recommendation must be provided to the Commission Clark by 12 noon on the regular filing date for use as a place-holder during agendar preparation. Add Item to Published Agenda [see Section 120:525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE Add Emergency Item to Published Agenda [see Section 120:525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE Concise explanation, justification or comments (attach additional sheet if necessary): On January 31, 2011, Gwest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Technical Staff): Initials (Division/Office Director or Designee): Initials (General Counsel or Designee): Initials: Comments: CHAIRMAN'S OFFICE: Initials: CHAIRMAN'S OFFICE: Deny Request Deny Request Date: 2/2/2/2011 Deny Request Date: 2/	Date of	Request	1/31/2011	Da	te of Commiss	sion Conference:	2/8/2011		1 EED 0 D	4 1. 5
Please attach a copy of the writen documentation filed (if others) STAFF'S Recommendation to Executive Suite (if others) STAFF'S Recommendation to Executive Suite (if others) ACTION REQUESTED [see APM 2.11] Defer Item to Conference Scheduled for: Date: 2/22/2011 Change Order of Item or Take Up at Time Certain Withdraw Item (not expected to return to Agenda) Late Field Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing). A copy of the front page of the recommendation must be provided to the Commission Clork by 12 noon on the regular filing date for use as a place-holder during agenda preparation. Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE Add Emergency Item to Published Agenda [see Section 120.525(3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE Concise explanation, justification or comments (attach additional sheet if necessary): On January 31, 2011, Qwest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Technical Staff): EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Initials (General Counsel or Designee): EXECUTIVE DIRECTOR: Approve Request Deny Request Date: 1/1/11 Deny Request Date: 2/2/11 Approve Request Date: 2/2/11	Docket	No.: 09	90538-TP		Brief Title:	Rec on Motion	to Dismiss Qwest Cor	mplaint I I	reb-2 Pr	1 1:5
STAFF's Recommendation to Executive Suite (if OTHER) Approve Request		-	n a copy of the				Qwest Commun		ரும்ஸூISS CLERK	KOI I
Defer Item to Conference Scheduled for: Change Order of Item or Take Up at Time Certain Withdraw Item (not expected to return to Agenda) Late Filed Recommendation must be filed no later than 3:00 p.m. on the date approved for late filing). A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation. Add Item to Published Agenda [see Section 120:525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE Add Emergency Item to Published Agenda [see Section 120:525(3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE Concise explanation, justification or comments (attach additional sheet if necessary): On January 31, 2011, Qwest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Legal Staff): EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Initials: CHAIRMAN'S OFFICE: Initials: The Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Security Director, the General Counsel, the Office of Public. Information Director, the Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Security Director, the General Counsel, the Office of Public. Information Director, the Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Security Director, the General Counsel, the Office of Public. Information Director, the			. •		,	_	Approve Request	☐ De	ny Request	
Change Order of Item or Take Up at Time Certain Withdraw Item (not expected to return to Agenda) Late Filed Recommendation must be filed no later than 3:00 p.m. on the date approved for late filing). A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation. Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE Concise explanation, justification or comments (attach additional sheet if necessary): On January 31, 2011, Owest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Legal Staff): Signature (Legal Staff): Initials: Initials: Initials: Date: Approve Request Deny Request Date: Date: Hamilan Chairman's Office Deny Request Date: Date: Hamilan Chairman's Deny Request Date: Date: Hamilan Chairman's Deny Request Date: CHAIRMAN's OFFICE: Initials: CHAIRMAN's OFFICE: Initials: CHAIRMAN's Office Director, the General Counse), the Deputy General Counsel, the Office of Public Information Director, the Deputy General Counsel, the Office of Public Information Director, the Commission Clerk and distribute copies to the OPR division/office director, the Deputy General Counsel, the Office of Public Information Director, the Commission Clerk and distribute copies to the OPR division/office director, the Commission Clerk and distribute copies to the OPR division/office director, the Commissioner Salestants, and the automys assigned to the doctors.	ACTIO	N REQUE	STED [see /	APM 2.11]						
Withdraw Item (not expected to return to Agenda) Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing). A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation. Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE Concise explanation, justification or comments (attach additional sheet if necessary): On January 31, 2011, Qwest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Legal Staff): Signature (Legal Staff): Initials (Civision/Office Director or Designee): Initials: Approve Request Date: Approve Request Deny Request Date: CHAIRMAN's OFFICE: Initials: CHAIRMAN's OFFICE: Initials: The Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OPR division/office director, the Executive Resolution in the attoring assigned to the docket.	\boxtimes	Defer Item	to Conference	e Scheduled for:	E	Date: 2/22/2011				
Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing). A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filling date for use as a place-holder during agenda preparation. Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE Add Emergency Item to Published Agenda [see Section 120.525(3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE Concise explanation, justification or comments (attach additional sheet if necessary): On January 31, 2011, Qwest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Technical Staff): Initials (Division/Office Director or Designee): Initials (General Counsel or Designee): EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Initials: CHAIRMAN's OFFICE: Initials: CHAIRMAN's OFFICE: Initials: The Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OFR division/office director, the Executive Director, the Deputy Request During, the Deputy General Counsel, the Office of Public Information Director, the Commission Clerk and distribute copies to the OFR division/office director, the Deputy General Counsel, the Office of Public Information Director, the Commission Clerk and distribute copies to the OFR division/office director, the Commission Clerk and distribute copies to the OFR division/office director, the Commission Clerk and distribute copies to the OFR division/office director, the Commission Clerk and distribute copies to the OFR division/office director, the Commission Clerk and distribute copies to the OFR division/office director, the Commission Clerk and distribute copies to the OFR division/office director, the Commission Clerk and distribute copies to the OFR division/office director, the Commission Clerk and distribute copies to the OFR div		Change O	rder of Item or	Take Up at Time	Certain					
recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation. Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE Add Emergency Item to Published Agenda [see Section 120.525(3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE Concise explanation, justification or comments (attach additional sheet if necessary): On January 31, 2011, Qwest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Technical Staff):		Withdraw	Item (not expe	cted to return to	Agenda)					
Concise explanation, justification or comments (attach additional sheet if necessary): On January 31, 2011, Qwest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Technical Staff): Signature (Legal Staff): Initials (Division/Office Director or Designee): Initials (General Counsel or Designee): EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Initials: Comments: CHAIRMAN's OFFICE: Initials: Chairman's Office of Public Information Director, the Deputy Executive Director, the Commence Assistants, and the attorings assigned to the docket: CLK ACRNDANCE TO THE TENEDS TO THE TEN		recomme	ndation must							
Concise explanation, justification or comments (attach additional sheet if necessary): On January 31, 2011, Qwest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Technical Staff): Signature (Legal Staff): EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Initials: Comments: CHAIRMAN's OFFICE: Initials: Chairman's Office of Public Information Director, the General Counsel, the Deputy General Counsel, the Office of Public Information Director, the Deputy Executive Director, the Office of Public Information Director, the Counsel, the Deputy General Counsel, the Office of Commissioner Assistants, and the attorneys assigned to the docket.		Add Item t	o Published Ag	genda [see Secti	on 120.525(2), F	S.] – Issue an AD	DENDUM and give Lega	al NOTICE		
On January 31, 2011, Qwest submitted a request for deferral of the February 8, 2011, Agenda Conference due to unavailability of counsel. Request is attached. Signature (Technical Staff): Initials (Division/Office Director or Designee): Initials (General Counsel or Designee): EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Approve Request Date: 2///// CHAIRMAN's OFFICE: Comments: CHAIRMAN's OFFICE: Initials: Date: 2///// Approve Request Deny Request Date: 2///// CHAIRMAN's OFFICE: Commission Clerk and distribute copies to the OPR division/office director, the Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OPR division/office director, the Executive Street, the Deputy Executive Director, the General Counsel, the OPR division/office director, the Executive Director, the Deputy Executive Director, the General Counsel, the OPR division/office director, the Counsel, the OPR division/office director, the Counsel, the OFFIce of Public Information Director, the OFFIc		Add Emer	gency Item to F	Published Agend	a [see Section 1	20.525 (3), F.S.] –	Issue an ADDENDUM a	and Give Fair NOT	TICE	
Signature (Technical Staff): Signature (Technical Staff): Signature (Legal Staff): Signature (Legal Staff): Signature (Legal Staff): EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Initials: Comments: CHAIRMAN's OFFICE: Initials: Comments: Approve Request Date: 2/1/11 Deny Request Date: 2/1/11 Date: 2/1/11 CHAIRMAN's OFFICE: Date: 2/1/11 CHAIRMAN's OFFICE: Designee): Deny Request Date: 2/1/11 CHAIRMAN's OFFICE: Designee): Deny Request Date: 2/1/11 CHAIRMAN's OFFICE: Deny Request Date: 2/1/11 CHAIRMAN's OFFICE: Deny Request Date: 2/1/11	Co	oncise exp	planation, jus	tification or cor	mments (attach	n additional shee	t if necessary):			
Signature (Legal Staff): EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Initials: Comments: CHAIRMAN's OFFICE: Initials: Comments: Approve Request Deny Request Deny Request Date: 2/1/11 Approve Request Date: 2/2/// Deny Request							he February 8, 2011,	Agenda Confere	ence due	
Signature (Legal Staff): EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Initials: Comments: CHAIRMAN's OFFICE: Initials: Comments: Approve Request Deny Request Deny Request Deny Request Date: 2/1/11 Approve Request Deny Request				0 L	^					
EXECUTIVE DIRECTOR: Recommendation to the Chairman's Office Approve Request Date: 2/1/11 CHAIRMAN'S OFFICE: Initials: Chairman's Office Approve Request Deny Request Deny Request Date: 2/1/11 The Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Executive Director, the General Counsel, the Deputy Executive Director, the General Counsel, the Deputy Executive Director, the General Counsel, the Office of Public Information Director, the Commissioners' Assistants, and the attorney assigned to the docket. CLK AGENDA	Signature (Technical Staff):							fice Director or	Mp	
Recommendation to the Chairman's Office Deny Request Deny Request				to lee	Eur	1	,	ounsel or W	H	
CHAIRMAN's OFFICE: Initials: Chairman's Office: Initials: Chairman's Office: Initials: Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy General Counsel, the Office of Public Information Director, the Commissioners' Assistants, and the attorney assigned to the docket. CLK AGENDACIONAL ADDITIONAL AND COLUMN ASSISTANCE AND COLUM	EXECU	JTIVE D	RECTOR:		Δ				,	
CHAIRMAN'S OFFICE: Initials: The Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Executive Director, the General Counsel, the Office of Public Information Director, the Commissioners' Assistants, and the attorney assigned to the docket. Approve Request Date: 2/2/// Date: 2/2/// Date: 2/2/// CLK AGENDA CLK AGENDA Deny Request Deny Request Deny Request Date: 2/2/// CLK AGENDA CLK AGENDA Deny Request Deny Request Deny Request Deny Request Date: 2/2/// CLK AGENDA CLK AGENDA Deny Request Deny Request Date: 2/2///	2.A								ny Request	
Initials: The Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Executive Director, the General Counsel, the Deputy General Counsel, the Office of Public Information Director, the Commissioners' Assistants, and the attorney assigned to the docket. CLK AGENDA CLK AGENDA		ents:	*				Date: 2/1/1	"		
The Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Executive Director, the General Counsel, the Deputy General Counsel, the Office of Public Information Director, the Commissioners' Assistants, and the attorney assigned to the docket.	CHAIF	RMAN's	OFFICE:			ø	Approve Request	☐ Dei	ny Request	
Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Executive Director, the General Counsel, the Deputy General Counsel, the Office of Public Information Director, the Commissioners Assistants, and the attorney assigned to the docket.	Initials:		a	1 K			Date: 2/3	۲//۱		
STAFF COPIED 0 0 8 0 9 FFR -2 =	Commiss Executive Deputy	sion Clerk e Director, General (and distribute of the Deputy E Counsel, the	copies to the OP xecutive Directo Office of Public	R division/office r, the General (c. Information D	director, the Counsel, the Director, the et.	Cl.K ACPM	DOCUMENT	NUMBER (P.)	ATE
	,	<u> </u>			·		STAFF COP	ua Ied () () () ()	9 FFR-2	





(813) 222-6685 FAX: (813) 314-6985 MICHAEL.COOKE@RUDEN.COM

January 31, 2011

Mr. Art Graham, Chairman Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

RE: Docket 090538-TP - Amended Complaint of Qwest Communications for Rate Discrimination in Connection with Intrastate Switched Access Services (Item No. 1 on February 8, 2011, Conference Agenda)

Dear Chairman Graham:

Qwest Communications Company, LLC ("QCC"), respectfully requests that the Commission defer its consideration of the Staff recommendation on the Joint Motion to Dismiss Qwest's First and Second Claims for Relief and Request for Reparations in the Form of Refunds. Staff's recommendation currently is scheduled for decision at the February 8, 2011, Agenda Conference. QCC requests that consideration be deferred until February 22, 2011. In support of this request, QCC respectfully submits the following:

- 1. Adam Sherr, Associate General Counsel for QCC, will be unavailable on February 8th. He will be travelling on family business through February 7 or February 8, 2011. Mr. Sherr also is unavailable the first two weeks of March due to the scheduled surgery of his daughter on February 28, 2011;
- 2. As a result of this previously arranged travel, Mr. Sherr cannot be present in person in Tallahassee (or participate telephonically) on February 8, 2011. The Joint Movants did not request oral argument and, therefore, pursuant to Commission rule 25-22.0022(1). F.A.C., have waived their right to request oral argument. The Commission, however, pursuant to its rules 25-22.0022(2) and 25-22.0022(7)(b), F.A.C., may request the parties to address the issues raised by the motion. Commission rule 25-22.0022(7)(b), F.A.C., does not provide for notice in advance of the Agenda Conference whether the Commission will exercise this discretion;

¹ See also Order No. PSC-11-0014-PCO-TP RM:7823035:1

Therefore, for the foregoing reasons, QCC respectfully requests the Commission to defer its decision on Agenda Item No. 1 pertaining to Docket No. 090538-TP to the next regularly scheduled Agenda Conference on February 22, 2011, or to such other time after March 15, 2011, that is convenient for the Commission.

Respectfully submitted,

Michael G. Cooke, Esquire

Mel S. Coole

(Fla. Bar No. 9879457)

Counsel for Qwest Communications Company, LLC

MGC:amb

RM:7823035:1

CERTIFICATE OF SERVICE DOCKET NO. 090538-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery and/or U.S. Mail this 31st day of January, 2011, to the following:

Florida Public Service Commission
Theresa Tan
Florida Public Service Commission
Office of General Counsel
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
team@psc.state.fl.us

Qwest Communications Co., LLC. Jason D. Topp, Corporate Counsel Qwest Communications Co., LLC 200 S. Fifth Street, Room 2200 Minneapolis, MN 55402 Jason.topp@qwest.com

Cox Florida Telecom, LLC
Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe Street, Suite 618
Tallahassee, FL 32301-1839
BKeating@gunster.com

MCImetro Access Transmission Service d/b/a VerizonAccess Transmission Services Dulaney O'Roark VerizonAccess Transmission Services Six Concourse Pkwy, NE, Ste 800 Atlanta, GA 30328 De.oroark@verizon.com

Granite Communications, LLC
BullsEye Telecom, Inc.
Andrew M. Klein
Allen C. Zoraki
Klein Law Group, PLLC
1250 Connecticut Avenue, NW
Suite 200
Washington, D.C. 20036
aklein@kleinlawpllc.com
azoracki@kleinlawpllc.com

Qwest Communications Co., LLC Adam Sherr Associate General Counsel Qwest Communications Co., LLC 1600 7th Avenue, Room 1506 Seattle, WA 98191 adam.sherr@qwest.com

tw telecom of florida, l.p.
XO Communications Services, Inc.
Windstream NuVox, Inc.
Birch Communications, Inc.
DeltaCom, Inc.
Matthew J. Feil
Gunster Yoakley & Stewart, P.A.
215 S. Monroe Street, Suite 618
Tallahassee, FL 32301
mfeil@gunster.com

Broadwing Communications, LLC
Marsha E. Rule
Rutledge, Ecenia & Purnell
P.O. Box 551
Tallahassee, FL 32302-0551
marsha@reuphlaw.com

XO Communications Services, Inc.
Jane Whang
Davis Wright Tremain
Suite 800
505 Montgomery Street
San Francisco, California 94111-6533
JaneWhang@dwt.com

STS Telecom, LLC
Alan C. Gold
1501 Sunset Drive
2nd Floor
Coral Gables, FL 33143
agold@acgoldlaw.com

CERTIFICATE OF SERVICE DOCKET NO. 090538-TP Page 2

1.4

Access Point, Inc.
Lightyear Network Solutions, LLC
Navigator Telecommunications, LLC
PAETEC Communications, Inc.
US LEC of Florida, LLC d/b/a PAETEC
Business Services
Eric J. Branfman
Philip J. Macres
Bingham McCutchen, LLP
2020 K Street NW
Washington, DC 20006-1806
eric.branfman@bingham.com
Philip.macres@bingham.com

Navigator Telecommunications, LLC Michael McAlister, General Counsel Navigator Telecommunications, LLC 8525 Riverwood Park Drive P. O. Box 13860 North Little Rock, AR 72113 mike@navtel.com

Flatel, Inc. c/o Adriana Solar 2300 Palm Beach Lakes Blvd. Executive Center, Suite 100 West Palm Beach, Florida 33409

Budget Prepay, Inc. c/o NRAI Services, Inc. 2731 Executive Park Drive, Suite 4 Weston, Florida 33331 and Budget Prepay, Inc. General Counsel 1325 Barksdale Blvd., Suite 200 Bossier City, LA 71111 Access Point, Inc.
Richard Brown
Chairman-Chief Executive Officer
Access Point, Inc.
1100 Crescent Green, Suite 109
Cary, NC 27518-8105
Richard.brown@accesspointinc.com

Lightyear Network Solutions, Inc.
John Greive, Vice President of
Regulatory Affairs & General Counsel
Lightyear Network Solutions, LLC
1901 Eastpoint Parkway
Louisville, KY 40223
john.greive@lightyear.net

PAETEC Communications, Inc. and US LEC of Florida, LLC d/b/a PAETEC Business Services
John B. Messenger, Vice President and Associate General Counsel PAETEC Communications, Inc. One PaeTec Plaza 600 Willowbrook Office Park Fairpoint, NY 14450

Ernest Communications, Inc. General Counsel 5275 Triangle Parkway Suite 150 Norcross, GA 30092

Michael G. Cooke

RM:7788608:1