

Diamond Williams

090538-TP

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Sent: Tuesday, February 08, 2011 2:24 PM
To: Filings@psc.state.fl.us
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Subject: FL PSC Docket No. 090538-TP - February 22, 2011 Commission Conference Agenda Addressing Docket No. 090538-TP - Amended Complaint of Qwest Communications Company, LLC
Attachments: FL PSC Docket No 090538-TP - February 22, 2011 Commission Conference Agenda Addressing Docket No 090538-TP.pdf

Attached for electronic filing in the above-referenced docket, please find the attached Letter regarding February 22, 2011 Commission Conference Agenda Addressing Docket No. 090538-TP - Amended Complaint of Qwest Communications Company, LLC . If you have any questions, please do not hesitate to contact us.

a. Persons responsible for this filing:

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b. Docket No. 090538-TP

c. Filed on behalf of: Access Point, Inc., Lightyear Network Solutions, LLC, Navigator Telecommunications, LLC, PAETEC Communications, Inc., and US LEC of Florida, LLC

d. Total pages: 5

e. Brief Description: February 22, 2011 Commission Conference Agenda Addressing Docket No. 090538-TP - Amended Complaint of Qwest Communications Company, LLC

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February 8, 2011

Via Electronic Filing

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

**Re: February 22, 2011 Commission Conference Agenda
Addressing Docket No. 090538-TP - Amended
Complaint of Qwest Communications Company,
LLC**

Dear Chairman Graham:

The Commission has stated that during the Commission's February 22, 2011 Conference Agenda, it will consider the Staff recommendation on Access Point, Inc., Lightyear Network Solutions, LLC, Navigator Telecommunications, LLC, PAETEC Communications, Inc. and US LEC of Florida, LLC's (collectively "Movants") Joint Motion to Dismiss Qwest's First and Second Claims for Relief and Request for Reparations in the Form of Refunds ("Joint Motion") that the undersigned filed on November 16, 2011.

While Movants did not request oral argument of the Joint Motion, pursuant to F.A.C. rules 25-22.0022(2) and 25-22.0022(7)(b), the Commission may *sua sponte* request oral argument of issues raised by motion during the February 22, 2011 Agenda Conference. Because the undersigned would need to travel from Washington, D.C. to Tallahassee, Florida for arguments that may not be requested by the Commission, the undersigned will be available via teleconference should the Commission wish to hear oral arguments on the Joint Motion during the February 22, 2011 Agenda Conference.

If the Commission wishes to hear such oral arguments during that time, the undersigned respectfully request notice prior to the Commission's February 22, 2011 Agenda Conference so that we may establish and coordinate a conference bridge for the arguments.

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Chairman Graham
February 8, 2011
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Respectfully submitted,

s/ Philip J. Macres

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Communications, Inc., and US LEC of
Florida, LLC d/b/a PaeTec Business
Services*

(*) Pursuant to Order No. PSC-10-0691-
FOF-OT in Docket No. 100008-OT
issued on November 18, 2010, Eric J.
Branfman has been designated as a
qualified representative for the above-
referenced parties in this proceeding.

cc: Parties of Record, Docket No. 090538-TP

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing February 8, 2011 Letter regarding the February 22, 2011 Commission Conference Agenda Addressing Docket No. 090538-TP - Amended Complaint of Qwest Communications Company, LLC has been furnished by email or by U.S. Mail to the following on this 8th day of February 2011.

/s/ Kimberly A. Lacey

Kimberly A. Lacey

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