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PLEASE REPLY TO:

TALLAHASSEE

TALLAHASSEE OFFICE:
117 SOUTH GADSDEN
TALLAHASSEE, FLORIDA 32301
(850) 222-2525
(850) 222-5606 FAX

April 9, 2002

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

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COMMISSION
CLERK

Re: Docket No.: 011119-TP

Dear Ms. Bayo:

On behalf of XO Florida, Inc. (XO), enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Request for Representation by a Qualified Representative.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,

Vicki Gordon Kaufman

Vicki Gordon Kaufman

AUS _____ VGK/bae
CAF _____ Enclosure
CMP _____
COM _____
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03989 APR -9 28

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by XO Florida,
Inc. for arbitration of
Unresolved issues with BellSouth
Telecommunications, Inc.

Docket No. 011119-TP

Filed: April 9, 2002

REQUEST FOR REPRESENTATION BY A QUALIFIED REPRESENTATIVE

XO Florida, Inc. (XO), through its undersigned counsel, submits its Request for Representation by a Qualified Representative pursuant to Rule 28-106.106, Florida Administrative Code, in the above-referenced proceeding, and states as follows:

1. XO is a certified alternative local exchange carrier and provides service in the State of Florida. XO is located at 5904-A Hampton Oaks Parkway, Tampa, Florida 33610.
2. Any pleading, motion, notice, order or other document required to be served upon the petitioner or filed by any party relative to this Request for Representation should be served upon the following individual:

Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin, Davidson,
Decker, Kaufman, Arnold & Steen, P.A.
117 South Gadsden
Tallahassee, Florida 32301
(850)222-2525 (telephone)
(850)222-5606 (fax)

3. This petition is filed pursuant to Rule 28-106.106, Florida Administrative Code. Rule 28-106.106(2)(a) requires that XO submit a written request to the presiding officer in the event that XO elects to be represented before the Commission by a qualified representative. XO hereby submits such a request.

4. XO seeks leave of the presiding officer for the individual identified below to appear as a qualified representative on behalf of XO for any purpose and in all matters or proceedings conducted before the Commission in connection with Docket No.011119-TP.

Dana Shaffer
Vice President, Legal and Regulatory Affairs
XO Communications, Inc.
105 Molly Street, Suite 300
Nashville, Tennessee 37201-2315

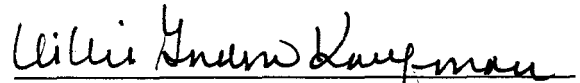
5. Consistent with Rule 25-106.106(2)(b), XO hereby affirms that it is aware of the services Ms. Shaffer can provide and, further, that XO can elect to be represented solely by “counsel,” as that term is defined by Rule 28-106.106(1). Indeed, XO has elected to be represented in this matter by other attorneys in addition to Ms. Shaffer.

6. XO submits that Ms. Shaffer possesses the necessary qualifications to responsibly represent XO’s interests in this matter. In this regard, Ms. Shaffer’s qualifications are set forth in the attached affidavit.

7. As reflected in Ms. Shaffer’s affidavit, she: (i) is an attorney admitted to practice in the State of Tennessee; (ii) has reviewed those portions of the Florida Statutes relative to the Commission’s jurisdiction, (iii) has reviewed the Florida Rules of Civil Procedure relating to discovery in an administrative proceeding; and (iv) has reviewed those portions of the Florida Administrative Code and Florida Statutes related to the rules of evidence, including the concept of hearsay in an administrative proceeding.

8. Consistent with the standard set forth in Rule 28-106.107, Ms. Shaffer has acquired or will acquire actual knowledge of the factual and legal issues involved insofar as his representation of XO is concerned in the above-referenced proceeding.

WHEREFORE, for the above and foregoing reasons, XO requests that Ms. Shaffer be permitted to appear as a qualified representative on behalf of XO.

A handwritten signature in black ink, reading "Vicki Gordon Kaufman". The signature is written in a cursive style with a horizontal line underneath.

Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin, Davidson,
Decker, Kaufman, Arnold & Steen, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301
Telephone: (850) 222-2525
Telecopy: (850) 222-5606

Attorneys for XO Florida, Inc.


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of XO.'s Request for Representation by a Qualified Representative has been furnished by (*) hand delivery or U. S. Mail this 9th day of April, 2002 to the following:

(*) Jason Fudge
Staff Counsel
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

James Meza
150 West Flagler Street
Suite 1910
Miami, FL 33130

Patrick Turner
BellSouth Telecommunications, Inc.
675 West Peachtree Street, Suite 430
Atlanta, Georgia 30375


Vicki Gordon Kaufman

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by XO Florida,
Inc. for arbitration of
Unresolved issues with BellSouth
Telecommunications, Inc.

Docket No. 011119-TP

Filed: 4/9/02

AFFIDAVIT OF DANA SHAFFER

STATE OF TENNESSEE
COUNTY OF Davidson

I, Dana Shaffer, being first duly sworn, do hereby depose and state as follows:

1. I am Vice President for Legal and Regulatory Affairs for XO Communications, Inc., 105 Malloy Street, Suite 300, Nashville, Tennessee 37201-2315.

2. I am a member in good standing of the Tennessee Bar (bar number 16607) and am seeking to be designated as a qualified representative in the above-captioned docket pursuant to Rule 28-106.106, Florida Administrative Code.

3. I have served as regulatory counsel to XO Communications, Inc. in proceedings before state commissions. Moreover, I have assisted other attorneys in proceedings before other state commissions that have involved the examination and resolution of factual and legal issues similar to those under consideration in the above-captioned docket.

4. I am familiar with the relevant portions of the Florida Statutes, the Florida Rules of Civil Procedure, the Florida Administrative Code, and the Florida Rules of Evidence.

I declare that the foregoing is true and correct based on my knowledge, information, and belief.


DANA SHAFFER

SWORN TO AND SUBSCRIBED before me this 8th day of April, 2002 by Dana Shaffer, who is personally known to me.

Cathy Weacher
Notary Public, State of TN, County of Davidson
Commission Number:
My Commission expires: My Commission Expires NOV. 27, 2004