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MCWHIRTER REEVES ATTORNEYS AT LAW

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PLEASE REPLY TO:

TALLAHASSEE

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

September 7, 2001

VIA HAND DELIVERY

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

Docket No.: 011076-TL Re:

Dear Ms. Bayo:

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

XO Florida, Inc.'s Petition to Intervene.

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,

Cliller Arden Laufman Vicki Gordon Kaufman

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REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN, ARNOLD & STEEN, P.A.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into anti-competitive behavior and practices of Verizon Florida Inc. Docket No. 011076-TL

Filed: September 7, 2001

_____/

XO Florida, Inc.'s Petition to Intervene

XO Florida, Inc. (XO), pursuant to rule 28-106.205, Florida Administrative Code,

files this Petition to Intervene. As grounds therefor, XO states:

1. The name and address of Petitioner is:

XO Florida, Inc. 105 Molloy Street, Suite 300 Nashville, TN 37201-2315

2. The name, address and telephone number of persons who should receive

copies of all orders, notices and correspondence in this docket are:

Dana Shaffer XO Communications, Inc. 105 Molloy Street, Suite 300 Nashville, TN 37201 (615) 777-7700 (telephone) (615) 345-1564 (fax) <u>dana.shaffer@xo.com</u>

Vicki Gordon Kaufman McWhirter Reeves McGlothlin Davidson Decker Kaufman Arnold & Steen, PA 117 South Gadsden Street Tallahassee, Florida 32301 (850) 222-2525 (telephone) (850) 222-5606 (fax) vkaufman@mac-law.com

3. XO is a competitive provider in Florida certificated to provide competitive

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local exchange service. As a Florida ALEC, XO has a substantial interest in ensuring that anticompetitive practices in the Florida telecommunications market are eliminated.

4. Disputed issues of fact include, but are not limited to, what anticompetitive practices, if any, are occurring in the marketplace.

5. Ultimate facts alleged include, but are not limited to, the fact that this Commission has a duty to eliminate anticompetitive practices so as to facilitate local competition.

WHEREFORE, XO moves this Commission to grant its Petition to Intervene and accord it full party status in this matter.

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

Dana Shaffer XO Communications, Inc. 105 Molloy Street, Suite 300 Nashville, Tennessee 37201-2315 (615) 777-7700 (telephone) (615) 345-1564 (fax) dana.shaffer@xo.com

Attorneys for XO Florida, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing XO Florida, Inc.'s Petition to Intervene has been furnished by (*) hand delivery or by U. S. Mail on this <u>7th</u> day of September, 2001, to the following:

(*) Beth Keating Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399

Catherine F. Boone Covad Communications Company 10 Glenlake Parkway, Suite 650 Atlanta, GA 30328-3495

Michael A. Gross Florida Cable Telecommunications Assoc., Inc. 246 E. 6th Avenue, Suite 100 Tallahassee, Florida 32303

Lori Reese NewSouth Communications Corp. Two North Main Street Greenville, SC 29601-2719

Peter Dunbar/Karen Camechis Pennington Law Firm Post Office Box 10095 Tallahassee, Florida 32301

Kimberly Caswell Verizon Communications 201 North Franklin Street Tampa, Florida 33601-0110

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Vicki Gordon Kaufman