

T: 404.335.0710 F: 404.614.4054 j.carver@att.com

November 1, 2007

Ms. Ann Cole Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

> Docket No. 050863-TP: dPi Teleconnect, L.L.C. v. BellSouth Re: Telecommunications, Inc.

Dear Ms. Cole:

Enclosed is AT&T Florida's Report on the Status of Settlement Negotiations, which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

All parties of record CC:

Chris Malish Jerry Hendrix

E. Earl Edenfield, Jr. Lisa S. Foshee

CERTIFICATE OF SERVICE DOCKET NO. 050863-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail and First Class U. S. Mail this 1st day of November, 2007 to the

following:

Theresa Tan
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ttan@psc.state.fl.us

Christopher Malish
Steven Tepera (+)
Foster Malish Blair & Cowan LLP
1403 West Sixth Street
Austin, TX 78703
Tel. No. (512) 476-8591
Fax. No. (512) 477-8657
chrismalish@fostermalish.com
steventepera@fostermalish.com
Counsel for dPi

DPI-Teleconnect, LLC 2997 LBJ Freeway, Suite 225 Dallas, TX 75234-7627 Tel. No. (972) 488-5500 x4001 Fax No (972) 488-8636 ddorwart@dpiteleconnect.com

J. Phillip Carver

(+) Signed Protective Agreement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

| In re: Complaint by dPi Teleconnect, L.L.C. |) | Docket No.: 050863-TP |
|---|---|------------------------|
| Against BellSouth Telecommunications, Inc. |) | |
| For dispute arising under interconnection |) | |
| Agreement |) | Filed November 1, 2007 |
| |) | |

AT&T FLORIDA'S REPORT ON THE STATUS OF SETTLEMENT NEGOTIATIONS

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida"), hereby files its Report on the Status of Settlement Negotiations, and states the following:

- 1. On October 10, 2007, the Florida Public Service Commission

 ("Commission) issued the *Order Granting Emergency Joint Motion for Continuance and Second Order Modifying Procedure* ("Order"), Order No. PSC-07-0814-PCO-TP. This Order directed the parties to file either jointly or separately a report regarding the status of settlement negotiations by November 1, 2007. AT&T Florida states the following in response to that directive.
- 2. AT&T Florida contacted dPi in early October 2007 to initiate settlement negotiations. Since then, the parties have negotiated, and continue to do so. Specifically, AT&T Florida made its most recent settlement offer on October 31, 2007, and is awaiting dPi's response. Although the parties continue to negotiate, it is not possible to predict at this time whether a settlement will ultimately be reached. Accordingly, AT&T believes that a hearing in this matter may well be necessary.

3. The *Order* set a revised hearing date in this matter of November 30, 2007. Unfortunately, AT&T Florida's sole witness, Pam Tipton, is unavailable on this date. Therefore, if the Commission goes forward with the hearing on this date, it will be necessary for AT&T Florida to substitute another witness to adopt the testimony of Ms. Tipton, and to be available for cross examination in her absence. At this point, Ms. Tipton has been involved in this case for over two years, and has overseen the preparation of the analysis that appears in, and forms the basis of, her testimony. Given this, AT&T Florida submits that the better alternative is to postpone the hearing for a short period of time so that Ms. Tipton may testify (assuming that a hearing will be necessary). Within the weeks shortly after the currently scheduled hearing date, AT&T Florida's witness and its counsel are available the following dates: December 3 – 7, 2007, December 17 - 21, 2007, and January 7 – 11, 2008. The requested brief delay would, of course, also give the parties additional time to try to negotiate a settlement.

WHEREFORE, AT&T Florida respectfully requests that the Commission reschedule the hearing in this matter for a date during one of the three weeks designated above, or at such later time as may comport with the Commission's schedule.

Respectfully submitted this 1st day of November 2007.

AT&T FLORIDA

É. EARL EDENFIELD, JR.

MANUEL A. GURDIAN

c/o Nancy H. Sims

150 So. Monroe Street, Suite 400

Tallahassee, FL 32301

(305) 347-5558

LISA S. FOSHEE

J. PHILLIP CARVER

AT&T Southeast

Suite 4300, AT&T Midtown Center

675 W. Peachtree St., NE

Atlanta, GA 30375

(404) 335-0710

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