

Diamond Williams

090327-TP

From: matthew.feil@akerman.com
Sent: Monday, July 26, 2010 4:46 PM
To: Filings@psc.state.fl.us
Cc: tony.mastando@deltacom.com; Fself@lawfla.com; Charles Murphy; james.mertz@hypercube-llc.com; jean.houck@deltacom.com; hazzard.michael@arentfox.com; koslofsky.jason@arentfox.com; Kevin Bloom
Subject: RE: Electronic Filing - Docket No. 090327-TP
Attachments: Notice of Deposition of Robert W. McCausland (TL248036).PDF

Attached is an electronic filing for the docket referenced below. If you have any questions, please contact either Matt Feil or Nicki Garcia at the numbers below. Thank you.

Person Responsible for Filing:

Matthew Feil
AKERMAN SENTERFITT
 106 East College Avenue, Suite 1200
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Docket No. and Name: Docket No. 090327-TP - Petition of DeltaCom, Inc. for Order Determining DeltaCom, Inc. not Liable for Access Charges of KMC Data, LLC, Hypercube, LLC and Hypercube Telecom, LLC.

Filed on behalf of: DeltaCom, Inc.

Total Number of Pages: 4

Description of Documents: DeltaCom's Notice of Deposition of Robert W. McCausland

Nicki Garcia

Office of:
 Matthew Feil
 850-425-1614

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July 26, 2010

VIA ELECTRONIC FILING

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

Re: Docket No. 090327-TP - Petition of DeltaCom, Inc. for Order Determining DeltaCom, Inc. Not Liable for Access Charges of KMC Data, LLC and Hypercube Telecom, LLC

Dear Ms. Cole:

Enclosed for electronic filing in the above-referenced docket on behalf of DeltaCom, Inc., please find DeltaCom's Notice of Deposition of Mr. Robert W. McCausland.

Your assistance in this matter is greatly appreciated. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Matthew Feil
AKERMAN SENTERFITT
106 East College Avenue, Suite 1200
Tallahassee, FL 32302-1877
Phone: (850) 224-9634

{TL248021;1}

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of DeltaCom, Inc. for)
order determining DeltaCom, Inc.) Docket No. 090327-TP
not liable for access charges of KMC) Filed July 26, 2010
Data LLC and Hypercube Telecom, LLC.)
_____)

NOTICE OF DEPOSITION

Please take notice that pursuant to Florida Rule of Civil Procedure 1.310 and Rule 28-106.206, Florida Administrative Code, Petitioner DeltaCom Inc. ("Petitioner" or "DeltaCom"), will take the deposition upon oral examination of **Mr. Robert W. McCausland** on August 2, 2010 beginning at 10:00 a.m. at the offices of McGuire, Craddock & Strother, P.C., 2501 N. Harwood St., Suite 1800, Dallas, TX 75201 before a notary public or some other person authorized by law to administer oaths, for the purpose of discovery or for use as evidence in the trial of this action, or for both purposes. There will be a telephone conference bridge active during this deposition so that the Staff of the Florida Public Service Commission and counsel of record for the parties may attend the deposition telephonically. The telephonic conference bridge will be 1-888-886-7772 with a passcode of 9991014.

The witness is directed to bring copies of all documents and other materials relied upon or utilized in preparation for their testimony at deposition; in preparing any written testimony filed on behalf of the witness in this proceeding and in preparing any discovery responses in this proceeding.

Please govern yourself accordingly.

Filed and served this 26th day of July, 2010.

A handwritten signature in black ink, appearing to read "Matthew Feil". The signature is fluid and cursive, with a large, stylized initial "M".

Matthew Feil, Esq.
Akerman Senterfitt
106 East College Avenue, Suite 1200
Tallahassee, FL 32301
(850) 425-1614

D. Anthony Mastando, Esq.
Regulatory Vice President
DeltaCom, Inc.
7037 Old Madison Pike, Suite 400
Huntsville, AL 35806
(256) 382-5900

Attorneys for DeltaCom, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served upon the following by Electronic Mail and/or U.S. Mail this 26th day of July, 2010.

Charles Murphy, Esq. Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 cmurphy@psc.state.fl.us	Kevin Bloom Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 kbloom@psc.state.fl.us
D. Anthony Mastando, Esq. Regulatory Vice President Jean Houck DeltaCom, Inc 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806 (256) 382-5900 tony.mastando@deltacom.com jean.houck@deltacom.com	Mr. James Mertz Hypercube Telecom LLC Building 300 5300 Oakbrook Parkway Suite 330 Norcross, GA 30093-6210 james.mertz@hypercube-llc.com
Floyd R. Self, Esq. Messer, Caparello & Self, P.A. P.O. Box 15579 Tallahassee, FL 32317 (850) 425-5213 fself@lawfla.com	Michael B. Hazzard, Esq. Jason Koslofsky, Esq. Arent Fox LLP 1050 Connecticut Avenue, NW Washington, D.C. 20036-5339 (202) 857-6029 hazzard.michael@arentfox.com koslofsky.jason@arentfox.com

By: 
Matthew Feil