

Dorothy Menasco

From: Galloway, Cecilia (Cissy) [CGalloway@gunster.com]
Sent: Monday, December 12, 2011 4:49 PM
To: Filings@psc.state.fl.us
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Subject: Docket 090538-TP - Birch

Attachments: Qwest 3 - Birch Resp Staff 1st Set.pdf

The attached is an electronic filing for the docket referenced below. If you have any questions, please contact Matt Feil at the number below. Thank you.

Person Responsible for Filing:

Matthew Feil
 Gunster Law Firm
 215 South Monroe Street, Suite 601
 Tallahassee, FL 32301
 Direct: 850-521-1708
 Main: 850-521-1980
mfeil@gunster.com

Docket Name and Number: Docket No. 090538-TP – Amended Complaint of Qwest Communications Company, LLC against MCImetro Access Transmission Services (d/b/a Verizon Access Transmission Services); XO Communications Services, Inc.; tw telecom of florida, l.p.; Granite Telecommunications, LLC; Broadwing Communications, LLC; Access Point, Inc.; Birch Communications, Inc.; Budget Prepay, Inc.; Bullseye Telecom, Inc.; DeltaCom, Inc.; Ernest Communications, Inc.; Flatel, Inc.; Lightyear Network Solutions, LLC; Navigator Telecommunications, LLC; PaeTec Communications, Inc.; STS Telecom, LLC; US LEC of Florida, LLC; Windstream Nuvox, Inc.; and John Does 1 through 50, for unlawful discrimination.

Filed on Behalf of: Birch Communications, Inc

Total Number of Pages: 5

Description of Documents: Notice of Serving Objections and Responses to Staff's First Set of Discovery to Birch Communications, Inc.

DOCUMENT NO. DATE

090538-11 12/12/11
 FPSC - COMMISSION CLERK

12/12/2011



GUNSTER

FLORIDA'S LAW FIRM FOR BUSINESS

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Governmental Affairs
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December 12, 2011

VIA ELECTRONIC-FILING

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

Re: Docket No. 090538-TP - Amended Complaint of Qwest Communications Company, LLC against MCImetro Access Transmission Services (d/b/a Verizon Access Transmission Services); XO Communications Services, Inc.; tw telecom of florida, l.p.; Granite Telecommunications, LLC; Broadwing Communications, LLC; Access Point, Inc.; Birch Communications, Inc.; Budget Prepay, Inc.; Bullseye Telecom, Inc.; DeltaCom, Inc.; Ernest Communications, Inc.; Flatel, Inc.; Lightyear Network Solutions, LLC; Navigator Telecommunications, LLC; PaeTec Communications, Inc.; STS Telecom, LLC; US LEC of Florida, LLC; Windstream Nuvox, Inc.; and John Does 1 through 50, for unlawful discrimination.

Dear Ms. Cole:

Enclosed is Birch Communications, Inc.'s Notice of Serving Objections and Responses to Staff's First Set of Interrogatories (Nos. 1-9), submitted by electronic mail in the above referenced docket.

Sincerely,

Matthew J. Feil
MJF/ccg

Enclosures

DOCUMENT NO. DATE

08873-11 12/12/11
FPSC - COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Amended Complaint of Qwest Communications }
Company, LLC against MCImetro Access Transmission } Docket No. 090538-TP
Services (d/b/a Verizon Access Transmission }
Services); XO Communications Services, Inc.; }
tw telecom of florida, l.p.; Granite Telecommunications, } Filed: December 12, 2011
LLC; Broadwing Communications, LLC; Access }
Point, Inc.; Birch Communications, Inc.; Budget }
Prepay, Inc.; Bullseye Telecom, Inc.; DeltaCom, Inc.; }
Ernest Communications, Inc.; Flatel, Inc.; Lightyear }
Network Solutions, LLC; Navigator Telecommunications, }
LLC; PaeTec Communications, Inc.; STS Telecom, LLC; }
US LEC of Florida, LLC; Windstream Nuvox, Inc.; }
and John Does 1 through 50, for unlawful }
discrimination. }

**BIRCH COMMUNICATIONS, INC.'S NOTICE OF SERVING OBJECTIONS AND
RESPONSES TO STAFF'S FIRST SET OF INTERROGATORIES (NOS. 1-9)**

BIRCH COMMUNICATIONS, INC. ("Birch", or "the Company"), by and through its undersigned counsel, hereby gives notice that the Company has served its objections and responses to Staff's First Set of Interrogatories (Nos. 1-9) by electronic mail and/or U.S. Mail to Ms. Lee Ang Tan of the Florida Public Service Commission Staff. Copies of the objections and responses have been provided to parties consistent with the attached Certificate of Service.

This notice is respectfully submitted by electronic mail the 12th day of December, 2011.



Matthew J. Feil
Gunster, Yoakley & Stewart, P.A.
215 S. Monroe Street, Suite 601
Tallahassee, Florida 32301
Telephone: (850) 521-1980
Facsimile: (850) 576-0902

DOCUMENT NO. DATE

08873-11 12/12/11
FPSC - COMMISSION CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following by email, and/or U.S. Mail this 12th day of December, 2011.


Lee Eng Tan Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ltan@psc.state.fl.us	Eric J. Branfman/Philip J. Macres Bingham Law Firm 2020 K Street, NW Washington, DC 20006 eric.branfman@bingham.com Philip.macres@bingham.com
Mr. Chris Bunce Birch Communications, Inc. 2300 Main Street, Suite 600 Kansas City, MO 64108-2415 Chris.bunce@birch.com	Mr. Greg Diamond Broadwing Communications, Inc. c/o Level 3 Communications 1025 Eldorado Boulevard Broomfield, CO 80021-8869 Greg.Diamond@level3.com
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<p>John B. Messenger PaeTec Communications, Inc. One PaeTec Plaza 600 Willowbrook Office Park Fairport, NY 14450-4233 john.messenger@paetec.com</p>	<p>Susan S. Masterton, Esq. CenturyLink QCC 315 S. Calhoun Street, Suite 500 Tallahassee, FL 32301 susan.masterton@centurylink.com</p>
<p>Adam L. Sherr Qwest Communications Company, LLC 1600 7th Avenue, Room 1506 Seattle, WA 98191 Adam.Sherr@centurylink.com</p>	<p>Marsha Rule Rutledge Law Firm Post Office Box 551 Tallahassee, FL 32302 marsha@reuphlaw.com</p>
<p>Ms. Kristin U. Shulman XO Communications 810 Jorie Blvd., Suite 200 Oak Brook, IL 60523 kris.shulman@xo.com</p>	<p>Brenda Merritt Division of Regulatory Analysis Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 bmerritt@psc.state.fl.us</p>
<p>Dulaney L. O'Roark III Verizon 5055 North Point Parkway Alpharetta, GA 30022 678-259-1657 (phone) 678-259-5326 (fax) de.oroark@verizon.com</p>	<p>Ms. Carolyn Ridley tw telecom of florida l.p. 2078 Quail Run Drive Bowling Green, KY 42104 Carolyn.Ridley@twtelecom.com</p>
<p>Jane J. Whang Davis Wright Tremaine LLP Suite 800 505 Montgomery Street San Francisco, California 94111-6533 janewhang@dwt.com</p>	<p>Mr. David Christian Verizon Access Transmission Services 106 East College Avenue, Suite 710 Tallahassee, FL 32301-7721 david.christian@verizon.com</p>

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By:



Matthew Feil, Esq.