

Ruth Nettles

From: staceyk@vcicompany.com
Sent: Tuesday, May 13, 2008 2:56 PM
To: Filings@psc.state.fl.us
Subject: Docket No. 080065-TX - In re: Investigation of Vilaire Communications, Inc.'s eligible telecommunications carrier status and competitive local exchange company certificate status in the State of Florida
Attachments: Vilaire Communications, Inc.'s Request for Oral Argument 5.5.08.pdf; Vilaire Communications, Inc.'s Motion to Dismiss 5.5.08.pdf

Attached for electronic filing in the referenced Docket, please find a copies of Vilaire Communications, Inc.'s Motion to Dismiss for Lack of Subject Matter Jurisdiction and Request for Oral Argument. If you have any questions, please do not hesitate to contact me.

Sincerely,
 Stacey A. Klinzman
 VCI Company
 (253) 830-0056
 (253) 475-6328
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A.
 Stacey A. Klinzman
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- B. Docket No. 080065-TX - In re: Investigation of Vilaire Communications, Inc.'s eligible telecommunications carrier status and competitive local exchange company certificate status in the State of Florida.
- C. On behalf of Vilaire Communications, Inc.
- D. Motion to Dismiss for Lack of Subject Matter Jurisdiction – 37 pp.
Request for Oral Argument – 3 pp.
- E. Motion to dismiss requests dismissal of Docket No. 080065-TX for lack of subject matter jurisdiction
Request for Oral Argument requests oral argument of the motion.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation of Vilaire Communications, Inc.'s eligible telecommunications carrier status and competitive local exchange company certificate status in the State of Florida.	DOCKET NO. 080065-TX DATED: May <u>5</u> , 2008
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REQUEST FOR ORAL ARGUMENT

COMES NOW, VCI Company, doing business in Florida as Vilaire Communications, Inc. ("VCI"), by and through its undersigned attorneys, and hereby files, pursuant to Rule 25-22.0022, Florida Administrative Code, this request for oral argument on its contemporaneously filed Motion to Dismiss Proceeding for Lack of Subject Matter Jurisdiction or in the Alternative, to Abate Proceedings Pending Federal District Court Decision on Subject Matter Jurisdiction ("Motion to Dismiss"). VCI respectfully submits that oral argument on its Motion to Dismiss would be beneficial on account of the complexity of the issue and the affect that lack of subject matter jurisdiction would have on the issues to be adjudicated in this proceeding. Oral argument would be beneficial also for the reason that jurisdiction is a threshold matter and the Commission's jurisdiction over ETCs has not, to the company's knowledge, been considered prior to this proceeding.

VCI, therefore, respectfully asks that the Commission receive oral argument on VCI's Motion to Dismiss and that the parties be allowed the maximum time allowable to address the Commission on this issue.

[SIGNATURE NEXT PAGE]

Respectfully submitted this 5th day of May, 2008.



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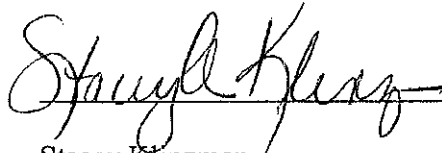
Attorneys for Vilaire Communications, Inc

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice has been served via Electronic Mail* to the persons listed below this 5th day of May, 2008:

Lee Eng Tan, Senior Attorney* Florida Public Service Commission, Office of the General Counsel 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 LTan@psc.state.fl.us	
Adam Teitzman, Supervising Attorney* Florida Public Service Commission, Office of the General Counsel 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 ateitzma@psc.state.fl.us	Beth Salak, Director/Competitive Markets and Enforcement* 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 bsalak@psc.state.fl.us

By:



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