

**Dorothy Menasco**

**From:** Lacey, Kimberly A. [kimberly.lacey@bingham.com]  
**Sent:** Monday, December 19, 2011 6:40 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Macres, Philip J.; Branfman, Eric J.; Lee Eng Tan; 'mfeil@gunster.com'; 'Chris.bunce@birch.com'; 'Greg.Diamond@level3.com'; 'dbailey@bullseyetelecom.com'; 'janewhang@dwt.com'; 'pfoley@corp.earthlink.com'; 'rcurrier@granitenet.com'; 'AKlein@kleinlawPLLC.com'; 'azoracki@kleinlawpllc.com'; 'john.greive@lightyear.net'; 'mike@navtel.com'; 'john.messenger@paetec.com'; 'Richard.brown@accesspointinc.com'; 'Adam.Sherr@qwest.com'; 'marsha@reuphlaw.com'; 'Susan.masterton@centurylink.com'; 'Carolyn.Ridley@twtelecom.com'; 'david.christian@verizon.com'; Brenda Merritt; 'Edward.Krachmer@windstream.com'; 'de.oroark@verizon.com'; 'Bettye.j.willis@windstream.com'; 'john.ivanuska@xo.com'; 'Kris.Shulman@xo.com'; 'agold@acgoldlaw.com'  
**Subject:** Docket No. 090538-TP Access Point, Inc.'s Notice of Serving First Set of Interrogatories (Nos. 1-13) and Document Requests (Nos. 1-20) to Qwest Communications Company, LLC  
**Attachments:** Docket No 090538-TP Access Point Notice of Service (121911).pdf

**Docket No.:** 090538-TP - Amended Complaint of QWEST COMMUNICATIONS COMPANY, LLC, Against MCIMETRO ACCESS TRANSMISSION SERVICES, LLC (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.

**Persons Filing:**

Eric J. Branfman, Esq.  
Philip J. Macres, Fla. Bar No. 137900  
Bingham McCutchen LLP  
2020 K Street, N.W.  
Washington, DC 20006-1806  
Tel: (202) 373-6000  
Fax: (202) 373-6001  
Email: eric.branfman@bingham.com  
Email: philip.macres@bingham.com

**Filed on Behalf of:** Access Point, Inc.

**Total number of pages:** Six (6)

**Description:** Access Point, Inc.'s Notice of Serving First Set of Interrogatories (Nos. 1-13) and Document Requests (Nos. 1-20) to Qwest Communications Company, LLC

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Kimberly A. Lacey  
Associate  
T 202.373.6288  
F 202.373.6001  
kimberly.lacey@bingham.com  
B I N G H A M  
Bingham McCutchen LLP  
2020 K Street NW  
Washington, DC 20006-1806

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# BINGHAM

Philip J. Macres  
Phone: 202.373.6000  
Fax: 202.373.6001  
philip.macres@bingham.com

December 19, 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, LLC (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 Access Point, Inc.'s Notice of Serving First Set of Interrogatories (Nos. 1-13) and Document Requests (Nos. 1-20) to Qwest Communications Company, LLC, submitted by electronic mail in the above-referenced docket.

Sincerely yours,

/s/ Philip J. Macres

Philip J. Macres

Enclosures

Boston  
Hartford  
Hong Kong  
London  
Los Angeles  
New York  
Orange County  
San Francisco  
Santa Monica  
Silicon Valley  
Tokyo  
Walnut Creek  
Washington

Bingham McCutchen LLP  
2020 K Street NW  
Washington, DC  
20006-1806

T 202.373.6000  
F 202.373.6001  
bingham.com

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**BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA**

Amended Complaint of QWEST  
COMMUNICATIONS COMPANY, LLC, Against  
MCIMETRO ACCESS TRANSMISSION  
SERVICES, LLC (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.

Docket No. 090538-TP

Filed: December 19, 2011

**ACCESS POINT, INC.'s NOTICE OF SERVING FIRST SET OF INTERROGATORIES  
(NOS. 1-13) AND DOCUMENT REQUESTS (NOS. 1-20) TO QWEST  
COMMUNICATIONS COMPANY, LLC**

Access Point, Inc. ("Access Point"), by and through its undersigned counsel, hereby gives notice that it has served its First Set of Interrogatories (Nos. 1-13) and Document Requests (Nos. 1-20) to Qwest Communications Company, LLC upon the persons and in the manner indicated in the certificate of service below.

This notice is respectfully submitted by electronic mail the 19th day of December, 2011.

/s/ Philip J. Macres

Eric J. Branfman, Esq. (not admitted in Florida) (\*)  
Philip J. Macres, Esq., Fla. Bar No. 137900  
Bingham McCutchen LLP  
2020 K Street NW  
Washington, DC 20006-1806  
Tel.: (202) 373-6000  
Fax: (202) 373-6001

E-mail: eric.branfman@bingham.com  
E-mail: philip.macres@bingham.com

*Counsel for Access Point, Inc.*

(\*) Pursuant to Order No. PSC-10-0691-FOF-OT in Docket No. 100008-OT issued on November 18, 2010, Eric J. Branfman has been designated as a qualified representative for the above-referenced parties in this proceeding.

### 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 19th day of December, 2011.

<p>Lee Eng Tan Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 <a href="mailto:ltan@psc.state.fl.us">ltan@psc.state.fl.us</a></p>	<p>Matthew J. Feil Gunster, Yoakley &amp; Stewart, P.A. 215 S. Monroe Street, Suite 601 Tallahassee, Florida 32301 <a href="mailto:mfeil@gunster.com">mfeil@gunster.com</a></p>
<p>Mr. Chris Bunce Birch Communications, Inc. 2300 Main Street, Suite 600 Kansas City, MO 64108-2415 <a href="mailto:Chris.bunce@birch.com">Chris.bunce@birch.com</a></p>	<p>Mr. Greg Diamond Broadwing Communications, Inc. c/o Level 3 Communications 1025 Eldorado Boulevard Broomfield, CO 80021-8869 <a href="mailto:Greg.Diamond@level3.com">Greg.Diamond@level3.com</a></p>
<p>Budget PrePay, Inc. 1325 Barksdale Boulevard Suite 200 Bossier City, LA 71111-4600</p>	<p>Mr. David Bailey BullsEye Telecom, Inc. 25925 Telegraph Road, Suite 210 Southfield, MI 48033-2527 <a href="mailto:dbailey@bullseyetelecom.com">dbailey@bullseyetelecom.com</a></p>
<p>Jane Whang Davis Wright Tremaine LLP 505 Montgomery Street, Suite 800 San Francisco, CA 94111 <a href="mailto:janewhang@dwt.com">janewhang@dwt.com</a></p>	<p>Paula Foley One Communications, an Earthlink Business Company 5 Wall Street Burlington, MA 01803 <a href="mailto:pfoley@corp.earthlink.com">pfoley@corp.earthlink.com</a></p>
<p>Ernest Communications, Inc. 5275 Triangle Parkway, Suite 150 Norcross, GA 30092-6511</p>	<p>Flatel, Inc. Executive Center, Suite 100 2300 Palm Beach Lakes Blvd. West Palm Beach, FL 33409-3307</p>
<p>Granite Telecommunications, LLC 100 Newport Avenue Extension Quincy, MA 02171-1734 <a href="mailto:rcurrier@granitenet.com">rcurrier@granitenet.com</a></p>	<p>Andrew M. Klein/Allen C. Zoracki Klein Law Group 1250 Connecticut Ave. NW, Suite 200 Washington, DC 20036 <a href="mailto:AKlein@kleinlawPLLC.com">AKlein@kleinlawPLLC.com</a> <a href="mailto:azoracki@kleinlawpllc.com">azoracki@kleinlawpllc.com</a></p>

<p>John Greive  Lightyear Network Solutions, LLC  1901 Eastpoint Parkway  Louisville, KY 40223-4145  <a href="mailto:john.greive@lightyear.net">john.greive@lightyear.net</a></p>	<p>Michael McAlister  Navigator Telecommunications, LLC  P.O. Box 13860  North Little Rock, AR 72113-0860  <a href="mailto:mike@navtel.com">mike@navtel.com</a></p>
<p>John B. Messenger  PaeTec Communications, Inc.  One PaeTec Plaza  600 Willowbrook Office Park  Fairport, NY 14450-4233  <a href="mailto:john.messenger@paetec.com">john.messenger@paetec.com</a></p>	<p>Richard Brown  Access Point, Inc.  1100 Crescent Green, Suite 109  Cary, NC 27511  <a href="mailto:Richard.brown@accesspointinc.com">Richard.brown@accesspointinc.com</a></p>
<p>Adam L. Sherr  Qwest Communications Company, LLC  1600 7th Avenue, Room 1506  Seattle, WA 98191  <a href="mailto:Adam.Sherr@qwest.com">Adam.Sherr@qwest.com</a></p>	<p>Marsha Rule  Rutledge Law Firm  Post Office Box 551  Tallahassee, FL 32302  <a href="mailto:marsha@reuphlaw.com">marsha@reuphlaw.com</a></p>
<p>Susan S. Masterton  CenturyLink  315 S. Calhoun Street, Suite 500  Tallahassee, FL 32301  <a href="mailto:Susan.masterton@centurylink.com">Susan.masterton@centurylink.com</a></p>	<p>Ms. Carolyn Ridley  tw telecom of florida l.p.  2078 Quail Run Drive  Bowling Green, KY 42104  <a href="mailto:Carolyn.Ridley@twtelecom.com">Carolyn.Ridley@twtelecom.com</a></p>
<p>Alan C. Gold, P.A.  1501 Sunset Drive, 2<sup>nd</sup> Floor  Coral Gables, FL 33143  <a href="mailto:agold@acgoldlaw.com">agold@acgoldlaw.com</a></p>	<p>Mr. David Christian  Verizon Access Transmission Services  106 East College Avenue, Suite 710  Tallahassee, FL 32301-7721  <a href="mailto:david.christian@verizon.com">david.christian@verizon.com</a></p>
<p>Brenda Merritt  Division of Regulatory Analysis  Florida Public Service Commission  2540 Shumard Oak Boulevard  Tallahassee, FL 32399  <a href="mailto:bmerritt@psc.state.fl.us">bmerritt@psc.state.fl.us</a></p>	<p>Ed Krachmer  Windstream NuVox, Inc.  4001 Rodney Parham Road  MS: 1170-B1F03-53A  Little Rock, AR 72212  <a href="mailto:Edward.Krachmer@windstream.com">Edward.Krachmer@windstream.com</a></p>
<p>Dulaney L. O'Roark III  Verizon  5055 North Point Parkway  <a href="mailto:de.oroark@verizon.com">de.oroark@verizon.com</a></p>	<p>James White  Windstream NuVox, Inc.  4651 Salisbury Road, Suite 151  Jacksonville, FL 32256-6187  <a href="mailto:Bettye.j.willis@windstream.com">Bettye.j.willis@windstream.com</a></p>

Mr. John Ivanuska XO Communications Services, Inc. 10940 Parallel Parkway, Suite K - #353 Kansas City, KS 66109-4515 <u>john.ivanuska@xo.com</u> <u>Kris.Shulman@xo.com</u>	
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By:           /s/ Kimberly A. Lacey            
          Kimberly A. Lacey