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April 28, 2000

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RECORDS AND REPORTING

Ms. Blanca Bayó  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Petition for Section 252(b) Arbitration of a Resale Agreement between BellSouth Telecommunications, Inc., and NOW Communications, Inc.; Docket No. 000262-TP

Dear Ms. Bayó:

Please find enclosed an original and 16 copies of an Affidavit of Larry W. Seab to be filed in the above-referenced proceeding.

Would you stamp one of the copies "filed" and return it to me in the enclosed self-addressed and stamped envelop?

Sincerely yours,

*Charles J. Pellegrini*  
Charles J. Pellegrini,  
Counsel for NOW Communications, Inc.

AFA \_\_\_\_\_  
APP \_\_\_\_\_  
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OTH \_\_\_\_\_

cc  
Carroll Ingram, Ingram & Assoc.  
Nancy B. White, BellSouth Telecommunications, Inc.  
Tim Vaccaro, Florida Public Service Commission

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*[Signature]*  
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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

AFFIDAVIT  
of  
Larry W. Seab

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Upon my oath or affirmation, I state the following to be true to the best of my knowledge, information and belief.


1. My name is Larry W. Seab. I am an adult resident citizen of Rankin County, Mississippi and suffer no disability of law with respect to the making of this affidavit.

2. I am the President and Chief Executive Officer of NOW Communications, Inc. ("NOW") and, by virtue of such position, am knowledgeable of the business dealings between NOW and BellSouth Telecommunications, Inc. ("BellSouth").


3. On or about June 1, 1997 NOW and BellSouth entered into an agreement providing for the resale by NOW of BellSouth's telecommunications services. As of the date hereof, such agreement has not expired and remains in force by its terms and by the further terms of a separate letter agreement between the parties dated January 26, 2000.

4. With respect to negotiations by the parties to replace the said reseller agreement, a request for negotiation was made on August 20, 1999. The parties have attempted to negotiate their differences but have failed to reach an agreement. BellSouth, on or about February 25, 2000 filed its Petition for Arbitration, nearly one month past the "window" limitation provided by the Telecommunications Act of 1996 and particularly Section 252(b) thereof.

Further, Affiant sayeth not.

  
\_\_\_\_\_  
Larry W. Seab, President and CEO  
NOW Communications, Inc.

Personally appeared before me this Seventeenth day of April, 2000, the within named Larry W. Seab identified himself and stated upon his oath or affirmation that the foregoing Affidavit is true and correct to the best of his knowledge, information and belief and that he placed his signature thereon as his free and voluntary act.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES AUG. 13, 2002