

Ruth Nettles

From: Woods, Vickie [vf1979@att.com]
Sent: Thursday, May 28, 2009 3:29 PM
To: Filings@psc.state.fl.us
Subject: 090142-TP AT&T Florida's Second Unopposed Motion for Extension of Time to Respond to Amended Complaint
Importance: High
Attachments: Document.pdf

A. Vickie Woods
Legal Secretary to E. Earl Edenfield, Jr., Tracy W. Hatch,
and Manuel A. Gurdian,
BellSouth Telecommunications, Inc. d/b/a AT&T Florida
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B. Docket No. 090142-TP:

Complaint of Cbeyond Communications, LLC Against AT&T Communications of the Southern States, LLC d/b/a AT&T and AT&T Florida for failure to pay intrastate access charges pursuant to Cbeyond's Price List and Interconnection Agreement and for violation of Section 364.16(3)(a), Florida Statutes

C. BellSouth Telecommunications, Inc.
on behalf of Manuel A. Gurdian

D. 4 pages total in PDF format (includes letter, certificate and pleading)

E. AT&T Florida's *Second* Unopposed Motion for Extension of Time to Respond to *Amended* Complaint
.pdf

<<Document.pdf>>

Vickie Woods

Assistant to E. Earl Edenfield, Jr. ("Kip"), Tracy W. Hatch
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May 29, 2009

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

**Re: Docket No. 090142-TP:
Complaint of Cbeyond Communications, LLC Against AT&T
Communications of the Southern States, LLC d/b/a AT&T and
AT&T Florida for failure to pay intrastate access charges
pursuant to Cbeyond's Price List and interconnection Agreement
and for violation of Section 364.16(3)(a), Florida Statutes**

Dear Ms. Cole:

Enclosed is AT&T Communications of the Southern States, LLC and
BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Second Unopposed
Motion for Extension of Time to Respond to Amended Complaint, which we ask that
you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of
Service.

Sincerely,



Manuel A. Gurdian

cc: All parties of record
Jerry Hendrix
Gregory R. Follensbee
E. Earl Edenfield, Jr.

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CERTIFICATE OF SERVICE
Docket No. 090142-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

Electronic Mail and First Class U.S. Mail this 29th day of May, 2009 to the following:

Charles Murphy
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
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Manuel A. Gurdian

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Cbeyond) Docket No. 090142-TP
Communications, LLC against AT&T)
Communications of the Southern States, LLC)
and AT&T Florida for alleged failure to pay)
intrastate access charges pursuant to Cbeyond's)
Price List and interconnection agreement)
and for alleged violation of Section 364.16(3)(a),)
Florida Statutes) Filed: May 29, 2009

**SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND
TO AMENDED COMPLAINT**

AT&T Communications of the Southern States, LLC ("AT&T Communications")
and BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida"),
pursuant to Rule 28-106.204, Florida Administrative Code, hereby file this Second
Unopposed Motion for Extension of Time to Respond to the Amended Complaint. As
grounds therefor, AT&T Communications and AT&T Florida state as follows:

1. On March 19, 2009, Cbeyond filed a Complaint in this case.
2. On April 1, 2009, Cbeyond filed an Amended Complaint in which it added
AT&T Communications as a Respondent in this proceeding.
3. On April 2, 2009, a Joint Motion for Extension of Time to Respond to
Amended Complaint and to any Required Responsive Pleading was filed requesting
AT&T Communications and AT&T Florida be permitted to respond to the Amended
Complaint by May 1, 2009, and making Cbeyond's responsive pleading, if any due on
May 8, 2009.
4. On April 9, 2009, the Florida Public Service Commission ("Commission")
entered Order No. PSC-09-0212-PCO-TP granting the Joint Motion.

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5. On April 29, 2009, an Unopposed Motion for Extension of Time to Respond to Amended Complaint was filed requesting that AT&T Communications and AT&T Florida be permitted to respond to the Amended Complaint by June 1, 2009.

6. On May 8, 2009, the Commission entered Order No. PSC-09-0319-PCO-TP granting the Unopposed Motion for Extension of Time to Respond to Amended Complaint.

7. The parties are currently trying to resolve the matter without further Commission intervention and AT&T Communications and AT&T Florida request an additional extension of time to respond to the Amended Complaint by July 1, 2009.

8. Mr. Gene Watkins, counsel for Cbeyond Communications, LLC, has advised that Cbeyond is unopposed to the requested extension.

WHEREFORE, for the foregoing reasons, AT&T Florida and AT&T Communications request that the Prehearing Officer grant this motion extending the due date of AT&T Communications and AT&T Florida's response to the Amended Complaint to July 1, 2009.

Respectfully submitted this 29th day of May, 2009.

AT&T FLORIDA AND AT&T
COMMUNICATIONS OF THE SOUTHERN
STATES, LLC



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