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Ruth Nettles

From: Evan Katz [ekatz@clective.com]
Sent: Monday, June 22, 2009 12:59 PM
To: Filings@psc.state.fl.us
Subject: Re: Docket: 090246-TP

Attachments: Clective Motion for Sanctions.pdf



Clective Motion
for Sanctions...

Dear Ms. Cole,

Re: Clective Telecom Florida, LLC
Docket 090246-TP

Please see attached file:

- Motion for sanctions. (File:Clective Motion for Sanctions.pdf)

Please contact me with any questions. Thank you.

Sincerely,
Evan Katz
ekatz@clective.com
404.272.0445

DOCUMENT NUMBER-DATE
06182 JUN 22 8
FPSC-COMMISSION CLERK

STATE OF FLORIDA
FLORIDA PUBLIC SERVICE COMMISSION

090246-TP

Notice of Adoption of Existing Interconnection : Docket No. 0902456-TP
Agreement Between BellSouth :
Telecommunications, Inc. and CBeyond :
Communications, Inc. by Clective Florida, LLC : June 22, 2009

CLECTIVE TELECOM FLORIDA, LLC'S
MOTION FOR SANCTIONS

Comes Now, Clective Telecom Florida, LLC ("Clective") pursuant to Section 57.105(5), Florida Statutes, and files this Motion for Sanctions and alleges as follows:

1. Clective sent the attached Motion for Sanctions to BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T") on June 1, 2009. In the Notice, Clective provided AT&T notice of its intent to request sanctions against AT&T for its misrepresentation of Clective's willingness to pay the requested deposit to AT&T. Clective attached a copy of the Motion for Sanctions to the Notice. Pursuant to Section 57.105(5) of the Florida Statutes, Clective now files this Motion with the Commission.
2. AT&T has not responded to the Notice of Intent to file the Motion for Sanctions nor filed any document in response to the Notice with the Commission.
3. As such, Clective now requests that the Commission enter sanctions against AT&T as set forth in the attached Motion for Sanctions.

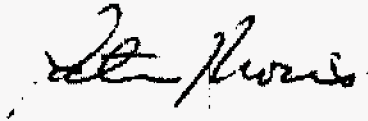
WHEREFORE, based on the foregoing, Clective respectfully requests that the Commission enter an award of sanctions and such other relief as the Commission deems appropriate under Section 57.105, Florida Statutes.

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Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Patricia Morris". The signature is written in a cursive style with a large initial "P".

Patricia Morris
Clective Telecom Florida, LLC
Its President