

Report on Pole Survey shows that it is solely relying on such an extrapolation of 73.68%. Any such extrapolation is not justified under any statistical precedent and is wholly inconsistent with the governing legal standard, as reflected in the December 15, 2004 and the April 15, 2005 Orders, of a showing “with respect to specific poles.” See Status Order at 4. The entire purpose of allowing the survey was to achieve specificity, not extrapolate.

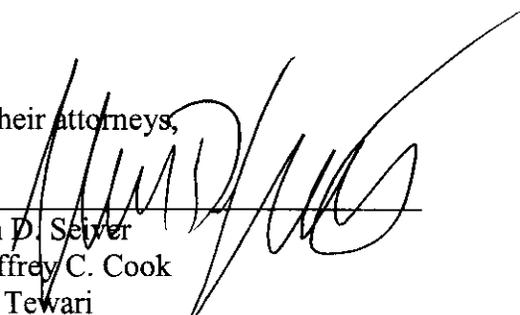
Given the incomplete responses to discovery, that the Osmose survey will not identify a single “full capacity” pole, and that Gulf Power will only extrapolate from an irrelevant number of “crowded” poles to quantify poles that were never surveyed, this proceeding should be terminated as requested in Complainants’ Motion to Dismiss.

CONCLUSION

WHEREFORE, on account of the foregoing, Complainants respectfully request that the Court enter an Order compelling Gulf Power to respond as set forth with respect to the individual discovery requests, enter evidentiary, preclusion and witness orders, or dismiss this proceeding, and award such other relief as is just.

Michael A. Gross
Vice President,
Regulatory Affairs and
Regulatory Counsel
**FLORIDA CABLE
TELECOMMUNICATIONS ASS'N, INC.**
246 East Sixth Ave., Suite 100
Tallahassee, FL 32303
(850) 681-1990

By their attorneys,



John D. Seiver
Geoffrey C. Cook
Rita Tewari

COLE, RAYWID & BRAVERMAN, LLP
1919 Pennsylvania Avenue, N.W.
Suite 200
Washington, DC 20006
(202) 659-9750

Counsel for

**FLORIDA CABLE TELECOMMUNICATIONS
ASSOCIATION, COX COMMUNICATIONS GULF
COAST, L.L.C., COMCAST CABLEVISION OF
PANAMA CITY, INC., MEDIACOM SOUTHEAST,
L.L.C., and BRIGHT HOUSE NETWORKS, L.L.C.**

October 7, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Third Motion to Compel Production of Documents and Further Responses to Interrogatories for Which the Presiding Judge Twice Required Supplemental Responses or, in the Alternative, for Evidentiary Rulings or Dismissal, has been served upon the following by electronic mail and U.S. Mail on this the 7th day of October, 2005:

J. Russell Campbell
Eric B. Langley
Jennifer M. Buettner
BALCH & BINGHAM LLP
1710 Sixth Avenue North
Birmingham, Alabama 35203-2015

Lisa Griffin
Federal Communications Commission
445 12th Street, S.W. – Room 5-C828
Washington, D.C. 20554

Ralph A. Peterson
BEGGS & LANE, LLP
501 Commendancia Street
Pensacola, Florida 32591

Sheila Parker
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

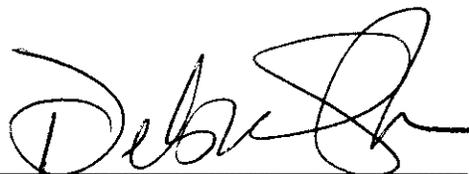
Rhonda Lien
Federal Communications Commission
445 12th Street, S.W. – Room 4-C266
Washington, D.C. 20554

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, D.C. 20554

James Shook
Federal Communications Commission
445 12th Street, S.W. – Room 4-A460
Washington, D.C. 20554

David H. Solomon
Federal Communications Commission
445 12th Street, S.W. – Room 7-C485
Washington, D.C. 20554

John Berresford
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554



Debra Sloan