

LAWRENCE ROSS FREEDMAN
ATTORNEY-AT-LAW
(NOT ADMITTED IN D.C.)

SWIDLER
&
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DIRECT DIAL
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August 9, 1996

VIA OVERNIGHT DELIVERY

Ms. Blanca S. Bayo
Director, Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

Re: MFS Communications Company, Inc.'s Withdrawal, Without Prejudice, of
Petition for Arbitration (Docket No. 960837-TP)

Dear Ms. Bayo:

On the behalf of MFS Communications Company, Inc., please find an original and fifteen (15) copies of its Withdrawal, Without Prejudice, of Petition for Arbitration.

- ACK
- AFA
- APP
- CAF
- CMU *Stetson*
- CTR
- EAG
- LEG *5*
- LIN
- OPC
- RCM
- SEC *1*
- WAS
- OTH

Please date stamp and return the enclosed extra copy of this filing to the undersigned in the prepared envelope provided herein.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Lawrence R. Freedman

RECEIVED & FILED

[Signature]
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Enclosures

cc-(w/o encl.): Andrew D. Lipman, Esq.
Anthony P. Gillman, Esq.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition of MFS Communications)	Docket No. 960837-TP
Company, Inc. For Arbitration of an)	Filed:
Interconnection Agreement Under Sections)	
251 and 252 of the Telecommunications)	
Act of 1996)	
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MFS COMMUNICATIONS COMPANY, INC.'S WITHDRAWAL,
WITHOUT PREJUDICE, OF PETITION FOR ARBITRATION

MFS Communications Company, Inc. ("MFS"), by and through its undersigned counsel, hereby withdraws its Petition for Arbitration in the above-captioned case, and respectfully states as follows:

1. This matter was commenced by the filing of a Petition of MFS Communications Company, Inc. for Arbitration Pursuant to 47 U.S.C. Section 252(b) of Interconnection Rates, Terms and Conditions with GTE Florida Inc. on July 17, 1996 (the "Petition"). MFS hereby withdraws the Petition, with the consent of GTE, without prejudice to MFS' rights to request any future mediation or arbitration pursuant to any requests for negotiation, under the Telecommunications Act of 1996 ("Act"), dated on or after August 12, 1996.

2. This withdrawal is being filed pursuant to a stipulation between MFS Communications Company, Inc. and GTE Service Corporation dated August 7, 1996 (Stipulation") which provides, among other things, that the parties shall negotiate in good faith and execute interim interconnection agreements in this state, among others. The Stipulation provides that MFS rescinds any outstanding requests (as of August 7, 1996), for negotiations with GTE pursuant to Section 251 of the Act. Consequently, there are no issues pending to arbitrate. The Stipulation states that the parties anticipate that MFS will file new requests for negotiations under the Act in the near future

and that both parties will negotiate in good faith agreements under Section 251 et. seq. of the Act. The Stipulation further provides that it does not waive any parties' right with respect to, and may not be used as a basis to object to, any future mediation or arbitration that may be filed in this state, among others, pursuant to any requests for negotiation under the Act dated on or after August 12, 1996.

3. With MFS' withdrawal of its Petition, the parties consider this docket to be closed. As such, MFS should be relieved of any requirement to respond to GTE's Motion to Dismiss or Suspend Arbitration, GTE is relieved from any obligation to respond to discovery served upon it by MFS, and both parties are relieved of any obligation to comply with the Commission's existing procedural schedule.

WHEREFORE, subject to the terms and conditions described above, MFS withdraws its pending Petition for Arbitration.

Respectfully submitted,

SWIDLER & BERLIN, Chartered

By: Russ Blau / LF
Russell M. Blau
Lawrence R. Freedman
3000 K Street, N.W., Suite 300
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Counsel for MFS Communications
Company Inc.

SEEN AND CONSENTED TO:

Anthony P. Gillman / LF by permission
Anthony P. Gillman, Esq.
Associate General Counsel
GTE Telephone Operations
One Tampa City Center
P.O. Box 110, FLTC0007
Tampa, FL 33601
Counsel for GTE Florida Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MFS Communications Company, Inc.'s
Withdrawal, Without Prejudice, of Petition for Arbitration were served by Federal Express overnight
delivery on August 9, 1996 to the parties listed below:

Staff Counsel
Florida Public Service Commission
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