Legal Department

James Meza III Attorney

BellSouth Telecommunications, Inc. 150 South Monroe Street Room 400 Tallahassee, Florida 32301 (305) 347-5561

November 8, 2002

Mrs. Blanca S. Bayó Director, Division of the Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: Docket No. 020119-TP

> Petition of Florida Digital Network, Inc. for Expedited Review and Cancellation of BellSouth Telecommunications, Inc.'s Key Customer Investigation **Tariffs** For Promotional and an of BellSouth Telecommunications, Inc.'s Promotional Pricing and Marketing Practices

Docket No.: 020578-TP Petition for Expedited Review and Cancellation of BellSouth Telecommunications, Inc's Key Customer Promotional Tariffs

Dear Ms. Bayó:

AUS.

CAF

COM

CTR ECR

GCL

SEC OTH

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion to Withdraw Motion for Reconsideration of Order Initiating Expedited CIMP S Discovery Procedure, which we ask that you file in the caption dockets.

A copy of this letter is enclosed. Please mark it to indicate that the original was —filed and return a copy to me. Copies have been served to the parties shown on the attached certificate of service.

Sincerely.

James Meza III

Enclosures

cc: All Parties of Record Marshall M. Criser III R. Douglas Lackey Nancy B. White

DOCUMENT NUMBER - DATE

123 | 2 NOV -8 8

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE DOCKET NO. 020119-TP and 020578-TP

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

Electronic Mail and U.S. Mail this 8th day of November 2002 to the following:

Felicia Banks
Linda Dodson
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6216
fbanks@psc.state.fl.us
Idodson@psc.state.fl.us

Matthew Feil (+)
Florida Digital Network
390 North Orange Avenue
Suite 2000
Orlando, FL 32801
Tel. No. (407) 835-0460
Fax. No. (407) 835-0309
mfeil@floridadigital.net

Kenneth A. Hoffman, Esq.
Martin P. McDonnell, Esq.
Marsha Rule
Rutldege, Ecenia, Purnell & Hoffman
215 S. Monroe St., Suite 420 (32301)
P.O. Box 551
Tallahassee, FL 32302-0551
Tel. No. (850) 681-6788
Fax. No. (850) 681-6515
Atty. for US LEC
Ken@Reuphlaw.com

Dana Shaffer
105 Molly Street, Suite 300
Nashville, TN 37201
Tel. No. (615) 777-7700
Fax. No. (615) 345-1564
Atty. for XO
dana.shaffer@xo.com

Karen Camechis, Esq.
Pennington Law Firm
P.O. Box 10095
215 South Monroe Street
Tallahassee, FL 32302-2095
Tel. No. (850) 222-3533
Fax. No. (850) 222-2126
Atty. for Time Warner
Karen@penningtonlawfirm.com

Carolyn Marek
Time Warner
233 Bramerton Court
Franklin, TN 37069
Tel. No. (615) 376-6404
Fax. No. (615) 376-6405
Carolyn.Marek@twtelecom.com

Joseph A. McGlothlin (+)
Vicki Gordon Kaufman
Timothy J. Perry
McWhirter, Reeves, McGlothlin,
Davidson, Decker, Kaufman, Arnold
& Steen, PA
117 South Gadsden Street
Tallahassee, FL 32301
Tel. No. (850) 222-2525
Fax. No. (850) 222-5606
imcglothlin@mac-law.com
vkaufman@mac-law.com
Attys. for FCCA

James Meza III (LA

(+) Signed Protective Agreement

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review and)	
Cancellation of BellSouth Telecommunications,)	
Inc.'s Key Customer Promotional Tariffs and)	
For an Investigation of BellSouth's	
Promotional Pricing and Marketing Practices by)	
Florida Digital Network, Inc.	Docket Nos. 020119-TP
In re: Petition for expedited review and	020578-TP
Cancellation of BellSouth Telecommunications,)	
Inc.'s Key Customer Promotional Tariffs by	
Florida Competitive Carriers Association)	
	Filed: November 8, 2002

MOTION TO WITHDRAW MOTION FOR RECONSIDERATION OF ORDER INITIATING EXPEDITED DISCOVERY PROCEDURE

BellSouth Telecommunications, Inc. ("BellSouth"), hereby withdraws its Motion for Reconsideration of Order Initiating Expedited Discovery Procedure ("Motion") and states the following:

- On March 25, 2002, BellSouth asked the Florida Public Service
 Commission ("Commission") to reconsider and modify Order No. PSC-02-0331 PCO-TP ("Order") in Docket No. 020119-TP.
- 2. BellSouth's Motion is still pending but is now moot in light of Order No. PSC-02-1295-PCO-TP, issued on September 23, 2002, wherein the Prehearing Officer established new time periods in which to respond and object to discovery issued in the above-referenced consolidated dockets.
- Accordingly, BellSouth hereby withdraws its Motion for Reconsideration of Order No. PSC-02-0331-PCO-TP.

Respectfully submitted this 8th day of November, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

VANCY B. WHITE

JAMES MEZA

c/o Nancy Sims

150 South Monroe Street, #400

Tallahassee, Florida 32301

(305) 347-5558

R. DOUGLAS PACKEY

PATRICK W. TURNER

675 West Peachtree Street, #4300

Atlanta, Georgia 30375

(404) 335-0761

468436