

ORIGINAL

Matilda Sanders

From: Fatool, Vicki [Vicki.Fatool@BellSouth.COM]
Sent: Thursday, May 12, 2005 11:58 AM
To: Filings@psc.state.fl.us
Subject: 040554-TP BellSouth's Letter to Bayo regarding the withdrawal of its Motion to Reopen the Docket
Importance: High
Attachments: 040554-T.pdf

- A. Vicki Fatool
 Legal Secretary to Nancy B. White
 BellSouth Telecommunications, Inc.
 150 South Monroe Street
 Suite 400
 Tallahassee, Florida 32301
 (305) 347-5560
vicki.fatool@bellsouth.com
- B. Docket No.: 040554-TP - Request for approval of adoption of existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and AT&T Communications of the Southern States, LLC by Nigerian-American Investment Corporation d/b/a NAIC Telecommunications
- C. BellSouth Telecommunications, Inc.
 on behalf of Nancy B. White
- D. 3 pages total (including letter, certificate of service and 1 page attachment)
- E. BellSouth Telecommunications, Inc.'s Letter to Bayo regarding the withdrawal of its Motion to Reopen the Docket

~~CMP~~ .pdf
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~~OTH~~ -5/12/2005

DOCUMENT NUMBER-DATE

04629 MAY 12 '05

FPC-COMM

ORIGINAL

Legal Department

Nancy B. White
General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

May 12, 2005

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.: 040554-TP**
**Request for approval of adoption of existing interconnection,
unbundling, resale, and collocation agreement between
BellSouth Telecommunications, Inc. and AT&T
Communications of the Southern States, LLC by Nigerian-
American Investment Corporation d/b/a NAIC
Telecommunications**

Dear Ms. Bayó:

In reliance on the letter of April 26, 2005 from Nigerian-American Investment Corporation ("NAIC") in the above captioned docket, a copy of which is attached hereto, BellSouth will withdraw its Motion to Reopen the Docket. This withdrawal is based on the fact that NAIC has no customers and has expressly stated that if it becomes operational and adds customers in the future, it has no plans to order services under the now-expired AT&T agreement.

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

Sincerely,


Nancy B. White

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

DOCUMENT NUMBER-DATE

04629 MAY 12 05

FPSC-COMMISSION CLERK



NAIC
Telecommunications

April 26, 2005

Ms. Blanca Bayó
Director, Division of the Commission Clerk
& Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No.: 040554-TP - Request for approval of adoption of existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and AT&T Communications of the Southern States, LLC by Nigerian-American Investment Corporation d/b/a NAIC Telecommunications

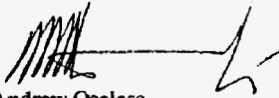
Dear Ms. Bayó:

This letter is in response to a request from staff on the status of NAIC's operations. NAIC continues to be non-operational, as it has remained since its certification, and has made no attempt to order any services - ever - from the now-expired AT&T agreement. As explained previously, NAIC adopted this agreement in its entirety, as it is entitled to do under the Telecommunications Act of 1996¹, merely as a placeholder until it decided in what direction to take its telecommunications business.

NAIC fully understands that, as it becomes operational, it will not be able to order services under an expired agreement and will have to adopt a new contract, with or without BellSouth's "permission." NAIC hopes BellSouth will show more prudence then and actually wait until the agreement is attempted to be used before it wastes any more valuable Commission resources.

If you need further information, please do not hesitate to contact me.

Sincerely,


Andrew Osolese
President

¹ Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56. Specifically, 47 U.S.C. § 252(d).

20401 NW 21st Avenue, Miami, FL 33169
(305) 451-1500

DOCUMENT NUMBER-DAT

04096 APR 27 05

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**CERTIFICATE OF SERVICE
DOCKET NO. 040554-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 12th day of May, 2005 to the following:

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Florida Public Service
Commission
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Nancy B. White