

ORIGINAL

Matilda Sanders

From: Glenda Chapman [gchapman@mail.fdn.com]
Sent: Friday, January 27, 2006 3:20 PM
To: Filings@psc.state.fl.us
Cc: Nancy Sims; meredith.mays@bellsouth.com; Lee Fordham; Matthew Feil
Subject: E-filing for FPSC Docket No. 030829-TP
Attachments: 030829 Notice of Withdrawal.doc

To: Division of the Commission Clerk and Administrative Services

Please find attached for filing in the captioned docket FDN Communication's Notice of Withdrawal.

In accordance with the Commission's e-filing procedures, the following information is provided:

The person responsible for this filing is:

Name: Matthew J. Feil, General Counsel
Address: FDN Communications
 2301 Lucien Way, Ste. 200
 Maitland, FL 32751
Phone No: 407-835-0460
Email: mfeil@mail.fdn.com

Docket No. and Title: 030829-TP, Complaint of FDN Communications for Resolution of Certain Billing Disputes and Enforcement of UNE Orders and Interconnection Agreements with BellSouth Telecommunications, Inc.

The party on whose behalf the document is filed: Florida Digital Network, Inc. d/b/a FDN Communications

Number of pages of the document: 3 pages.

Description of each document attached: Notice of Withdrawal by Florida Digital Network, Inc. d/b/a FDN Communications.

Thank You!
Glenda Chapman
Executive Administrative Assistant
 407-835-0389 (phone)
 407-447-3913 (e-fax)

- CMP _____
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- SCR _____
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1/27/2006

Life is like a coin, you can spend it any way you wish, but you can only spend it once....

DOCUMENT NUMBER-DATE
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 FPSC-COMMISSION CLERK

ORIGINAL

January 27, 2006

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

via Electronic Mail

Re: Docket No. 030829-TP Complaint of FDN Communications for Resolution of
Certain Billing Disputes and Enforcement of UNE Orders and Interconnection
Agreements with BellSouth Telecommunications, Inc.

Dear Ms. Bayo:

Please find enclosed for filing in the above docket FDN Communications' Notice of
Withdrawal via electronic mail.

If you have any questions regarding the enclosed, please call me at 407-835-0460.

Sincerely,

s/ Matthew Feil

Matthew Feil
FDN Communications
General Counsel

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In Re: Complaint of FDN Communications)
for Resolution of Certain Billing Disputes)
and Enforcement of UNE Orders and)
Interconnection Agreements with)
BellSouth Telecommunications, Inc.)
_____)

Docket No. 030829-TP

FDN COMMUNICATIONS' NOTICE OF WITHDRAWAL OF COMPLAINT

Florida Digital Network, Inc., d/b/a FDN Communications ("FDN") and BellSouth Telecommunications, Inc., ("BellSouth") have reached a confidential settlement. The parties' confidential settlement resolves the billing disputes raised by the FDN complaint up to and including a date certain, but does not address going-forward treatment of matters raised by the FDN complaint and does not prejudice the going-forward positions of the parties in future disputes.

Accordingly, FDN withdraws its complaint in this proceeding; said withdrawal is with prejudice as to the billing disputes up to and including the date provided in the parties' confidential settlement.

FDN asks that the Commission acknowledge this withdrawal.

Respectfully submitted, this 27th day of January, 2006

s/ Matthew Feil

Matthew Feil
FDN Communications
2301 Lucien Way
Suite 200
Maitland, FL 32751
407-447-6636
mfeil@mail.fdn.com

DOCUMENT NUMBER-DATE

00842 JAN 27 06

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

Docket 030829-TP

I hereby certify that a copy of the foregoing was sent by e-mail and regular mail to the persons listed below this 27th day of January, 2006.

BellSouth Telecommunications, Inc.
Nancy B. White/Meredith Mays
C/O Ms. Nancy H. Sims
150 S. Monroe Street
Suite 400
Tallahassee, FL 32301-1556
nancy.sims@bellsouth.com
meredith.mays@bellsouth.com

Mr. Lee Fordham
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
cfordham@psc.state.fl.us

s/ Matthew Feil

Matthew Feil
FDN Communications
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Maitland, FL 32751
(407) 835-0460
mfeil@fdn.mail.com