

Eric Fryson

From: Ann Bassett <abassett@lawfla.com>
Sent: Wednesday, May 29, 2013 11:18 AM
To: Filings@psc.state.fl.us
Subject: Filing for Docket No. 100434-TP
Attachments: Nexus Communications' Motion to Dismiss.pdf

The person responsible for this electronic filing is:

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The Docket No. is 100434-TP – : Complaint and petition for relief by Nexus Communications, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida for dispute over interpretation of interconnection agreement regarding cash back promotions


This is being filed on behalf of Nexus Communications, Inc.

Total Number of Pages is 4

Nexus Communications, Inc.'s Motion to Dismiss

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Strategically Positioned in Florida's Capital

May 29, 2013

BY ELECTRONIC FILING

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850


Re: Docket No. 100434-TP

Dear Ms. Cole:

Enclosed for filing on behalf of Nexus Communications, Inc. is an electronic version of Nexus Communications, Inc.'s Motion to Dismiss in the above referenced docket.

Thank you for your assistance.

Sincerely,


Norman H. Horton, Jr.

NHH/amb

Enclosure

cc: Christopher Malish, Esq.
Parties of Record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Complaint and petition for relief by)
Nexus Communications, Inc. against BellSouth)
Telecommunications, Inc. d/b/a AT&T Florida)
for dispute over interpretation of interconnection)
agreement regarding cash back promotions.)**

DOCKET NO. 100434-TP

FILED: May 29, 2013

NEXUS COMMUNICATIONS, INC.'S MOTION TO DISMISS

Nexus Communications, Inc. ("Nexus") by its undersigned herewith files this Motion to Dismiss regarding the above-styled complaint against BellSouth Telecommunications, Inc., d/b/a AT&T Florida regarding cash back promotions and states:

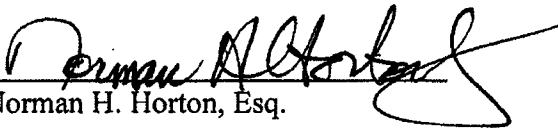
1. The parties have negotiated a settlement in connection with this case which resolves all issues presented in the case. The parties' settlement requires a dismissal of this case with prejudice.
2. Counsel for Nexus has contacted counsel for AT&T Florida and is authorized by AT&T Florida to represent that AT&T Florida is not opposed to this motion.

Wherefore, Nexus respectfully requests the Florida Public Service Commission dismiss the instant matter with prejudice.

[Signature block is on the following page.]

Respectfully submitted,

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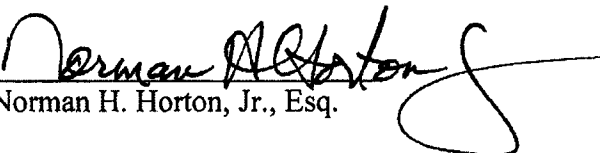
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s/ Anton C. Malish
Anton Christopher Malish
Texas State Bar No. 00791164
(Admitted *pro hac vice* in Florida)

Attorneys for Nexus Communications, Inc.

CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing document has been served on the following on this 29th day of May 2013, electronically, via facsimile, and/or through U.S. First Class Mail.


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