

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by AT&T  
Communications of the Southern  
States, LLC for suspension and  
cancellation of BellSouth  
Telecommunications, Inc.'s  
Switched Access Contract Tariff  
No. FL2002-01 for alleged  
violations of the  
Telecommunications Act of 1996,  
rules of the Federal  
Communications Commission, and  
Chapter 364, Florida Statutes.

DOCKET NO. 020738-TP  
ORDER NO. PSC-03-1049-FOF-TP  
ISSUED: September 22, 2003

The following Commissioners participated in the disposition of  
this matter:

LILA A. JABER, Chairman  
J. TERRY DEASON  
BRAULIO L. BAEZ  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON

ORDER ACKNOWLEDGING NOTICE OF VOLUNTARY DISMISSAL OF  
PETITION AND AMENDED PETITION AND CLOSING DOCKET

BY THE COMMISSION:

On July 16, 2003, AT&T Communications of the Southern States, LLC (AT&T) filed its Petition in this matter and this Docket was opened. BellSouth Telecommunications, Inc. (BellSouth) filed its Answer on August 12, 2002, and on September 13, 2003, with leave of this Commission, AT&T filed its Amended Petition. On October 3, 2003, BellSouth filed its Answer to the Amended Petition and Partial Motion to Strike. On January 6, 2003, BellSouth's Partial Motion to Strike was granted and the matter was set for hearing.

On March 11, 2003, the parties filed a Joint Motion for Continuance, and stated that settlement negotiations were under way. The Joint Motion for Continuance was granted on March 14,

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2003, by Order No. PSC-03-0357-PCO-TP. On August 20, 2003, AT&T filed its Notice of Voluntary Dismissal of its Petition and Amended Petition.

AT&T represents in its Notice of Voluntary Dismissal that the parties have achieved a mutually agreeable resolution of the dispute which formed the basis of the Petition initiating this Docket. Accordingly, there is nothing further in the Docket for us to consider. Therefore, we hereby acknowledge AT&T's Notice of Voluntary Dismissal of its Petition and its Amended Petition filed in this Docket. All confidential materials contained in the record in this Docket shall be returned to the provider, and this Docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that AT&T Communications of the Southern States, LLC's Notice of Voluntary Dismissal of its Petition and Amended Petition is hereby acknowledged. It is further

ORDERED that all confidential materials provided pursuant to this Docket be returned to the provider, and all requests for confidential treatment are rendered moot. It is further

ORDERED that any and all outstanding motions are rendered moot. It is further

ORDERED that this Docket shall be closed.

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By ORDER of the Florida Public Service Commission this 22nd  
Day of September, 2003.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records and Hearing  
Services

( S E A L )

LF

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule

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25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.