

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of US LEC of Florida Inc. for arbitration of certain terms and conditions of a proposed agreement with BellSouth Telecommunications, Inc., concerning interconnection, unbundling, and resale under the Telecommunications Act of 1996.

Docket No. 990799-TP

Filed: July 16, 1999

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NOTICE OF WITHDRAWAL OF PETITION FOR ARBITRATION OF US LEC OF FLORIDA INC.

COMES NOW US LEC of Florida Inc., ("US LEC") and withdraws its Petition for Arbitration, stating as grounds the following:

1. On June 21, 1999, the statutory deadline, US LEC filed a Petition for Arbitration under 47 U.S.C. § 252(d), seeking arbitration of certain unresolved issues in its negotiations for a new interconnection agreement with BellSouth Telecommunications, Inc. ("BellSouth").

2. On June 30, 1999, US LEC and BellSouth ("the Parties") entered into an Agreement whereby US LEC, pursuant to 47 U.S.C. §252(i), will adopt the entire BellSouth and Intermedia Communications Inc. interconnection agreement dated July 1, 1996,¹ as most recently amended on February 16, 1999.²

3. That agreement expires at the end of 1999. By that time, the Commission will have resolved many of the issues raised in US LEC's petition and the parties will have additional guidance concerning the Commission's positions.

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¹ Approved by this Commission in Order No. PSC-96-1236-FOF-TP, issued October 7, 1996.
² Approved by this Commission in Order No. PSC-99-0632-FOF-TP, issued April 2, 1999. Amended previously, twice on February 24, 1997, approved in Order No. PSC-97-0771-FOF-TP, issued July 1, 1997, and on June 3, 1998, approved in Order No. PSC-98-1347-FOF-TP, issued October 12, 1998.

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WHEREFORE US LEC of Florida Inc. hereby withdraws its Petition for Arbitration Pursuant to 47 U.S.C. §252(b), now pending before the Commission in this proceeding, and requests the Commission to issue an order of acknowledgment closing this docket.

Respectfully submitted this 16th day of July, 1999.

US LEC OF FLORIDA INC.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been
furnished by Hand Delivery this 16th day of July 1999, to:

Ms. Nancy White c/o
Ms. Nancy Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301

Ms. Donna Clemons
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
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