

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET NO. 991391

PILGRIM TELEPHONE, INC.

PETITIONER

V. NOTICE OF WITHDRAWAL  
WITHOUT PREJUDICE AND RESPONSE TO  
RESPONDENT'S MOTION TO DISMISS.

BELLSOUTH TELECOMMUNICATIONS, INC. RESPONDENT

\* \* \* \* \*

Pilgrim Telephone, Inc. ("Pilgrim"), by counsel, hereby gives notice to the Florida Public Service Commission that it is withdrawing its Petition for Arbitration under § 252 of the Telecommunications Act of 1996 for the following reasons:

1. During an October 15, 1999 meeting with staff at the Florida Public Service Commission, Pilgrim and BellSouth Telecommunications, Inc. ("BellSouth") agreed mediate their dispute. The mediation is tentatively scheduled to be conducted on November 2, 1999 in Tallahassee, Florida. This mediation may resolve the differences between Pilgrim and BellSouth, making the Arbitration before the Commission a fruitless exercise. The mediation may also serve to narrow the issues between BellSouth and Pilgrim enabling a more narrowly tailored arbitration petition to be filed

should that prove necessary.

2. In light of Pilgrims' Motion to Dismiss, Respondent's Motion to Dismiss is moot.

AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU Favors  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
LEG 1  
MAS 2  
OPC \_\_\_\_\_  
PAI \_\_\_\_\_  
SEC 1  
WAW \_\_\_\_\_  
OTH \_\_\_\_\_

FLORIDA PUBLIC SERVICE COMMISSION

1999 OCT 26 AM 9:00

DIVISION OF ADMINISTRATION

DOCUMENT NUMBER-DATE

13138 OCT 26 99

FPSC-RECORDS/REPORTING

WHEREFORE, Pilgrim respectfully tenders this notice to the Commission and expressly reserves its right to file a new Petition for Arbitration in accordance with the Act.

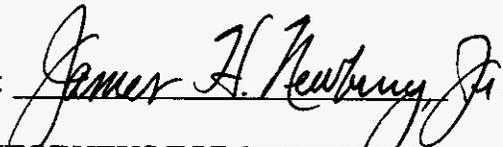
Respectfully submitted,

WYATT, TARRANT & COMBS

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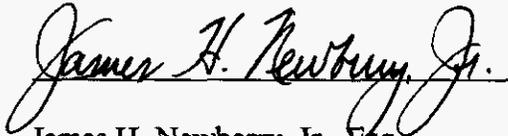
and

HARGROVEBAKER, P.S.C.  
T. Renee Mussetter  
2800 Lexington Financial Center  
250 West Main Street  
Lexington, KY 40507-1743  
(606) 231-3700

By:   
ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Notice Of Withdrawal was served upon Nancy B. White, Museum Tower, 150 West Flagler Street, Suite 1910, Miami, FL, 33130, Counsel for BellSouth Telecommunications, Inc., by U.S. mail, postage prepaid, this 22<sup>nd</sup> day of October, 1999.

  
James H. Newberry, Jr., Esq.