

ORIGINAL

RECORDS AND REPORTING

JUL -5 PM 3:24

RECEIVED-FPSC

MICHAEL P. GOGGIN
General Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

July 5, 2000

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 981008-TP (e.spire Complaint)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion for Withdrawal of Petition on Proposed Agency Action, which we ask that you file in the captioned matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Michael P. Goggin
Michael P. Goggin
(22)

APP _____
CAF _____
CMP 1 _____
COM 3 _____
CTR _____
ECR 2 _____
LEG 1 _____
OPC _____
PAI _____
RGO _____
SEC 1 _____
SER _____
OTH _____

lvf
Enclosures

cc: All parties of record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

RECEIVED & FILED

[Signature]
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

08150 JUL-58

FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

COMPLAINT OF e.spire)	Docket No. 981008-TP
COMMUNICATIONS, INC. AGAINST)	
BELLSOUTH TELECOMMUNICATIONS,)	
INC. REGARDING RECIPROCAL)	
COMPENSATION FOR TRAFFIC)	
TERMINATED TO INTERNET SERVICE)	
PROVIDERS)	
<hr/>		Filed: July 5, 2000

MOTION OF BELLSOUTH TELECOMMUNICATIONS, INC. FOR WITHDRAWAL OF PETITION ON PROPOSED AGENCY ACTION

BellSouth Telecommunications, Inc. ("BellSouth") hereby moves to withdraw its Petition on Proposed Agency Action filed on April 26, 1999, protesting Order No.: PSC-99-0658-FOF-TP issued on April 6, 1999. BellSouth sought review of the Commission's Order in the United States District Court (Case No.: 498CV328-RH). The parties have settled the underlying dispute in this matter. Following the settlement, an Order of Dismissal was issued by the District Court on April 19, 2000 and a Judgment was issued on May 22, 2000. In view of the Parties' settlement, BellSouth hereby moves to withdraw its Petition on Proposed Agency Action.

Respectfully submitted this 5th day of July, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B White

 NANCY B. WHITE (22)
 MICHAEL P. GOGGIN
 c/o Nancy Sims
 150 South Monroe Street, Suite 400
 Tallahassee, Florida 32301
 (305) 347-5558

R Douglas Lackey

 R. DOUGLAS LACKEY (28)
 675 W. Peachtree Street
 Suite 4300
 Atlanta, Georgia 30375
 (404) 335-0747

DOCUMENT NUMBER-DATE
 08150 JUL-58
 FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket No. 981008-TP

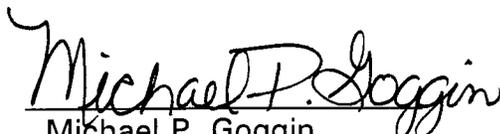
I HEREBY CERTIFY that a copy of the foregoing has been furnished by

U.S. Mail this 5th day of July, 2000 to:

Beth Keating
Staff Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

e.spire Communications, Inc.
131 National Business Parkway
#100
Annapolis Junction, MD 20701
Tel. No. (301) 361-4200
Fax. No. (301) 361-4277

Messer Law Firm
Norman Horton
P.O. Box 1876
Tallahassee, FL 32302
Tel. (850) 222-0720
Fax. (850) 224-4359
Represents e.spire


Michael P. Goggin
(2)