

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Section 252(b) Arbitration of a Resale Agreement between BellSouth Telecommunications, Inc. and NOW Communications, Inc..

Docket No. 000262-TP

Filed: August 16, 2000

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NOW COMMUNICATIONS, INC.'S NOTICE OF WITHDRAWAL OF ITS MOTION FOR LEAVE TO SUBMIT INFORMATION SUPPLEMENTARY TO ITS MOTION FOR DETERMINATION OF PRELIMINARY MATTER

COMES NOW, NOW Communications, Inc. ("NOW"), through counsel, and files this Notice of Withdrawal of Its Motion for Leave to Submit Information Supplementary to Its Motion for Determination of Preliminary Matter, stating in support thereof the following:

1. On May 5, 2000, NOW filed a Motion for Leave to Submit Information Supplementary to Its Motion for Determination of Preliminary Matter ("Motion").
2. On August 2, 2000, BellSouth Telecommunications, Inc., ("BellSouth") and NOW executed a new resale agreement, the result of which is that there are no longer unresolved issues between the parties requiring arbitration at this time.
3. On August 7, 2000, BellSouth filed a Motion for Withdrawal of Petition for Arbitration.
4. On August 16, 2000, NOW noticed the Commission of its concurrence with BellSouth's Motion for Withdrawal with certain clarifications.
5. Accordingly, NOW hereby files notice of its withdrawal of its Motion.

WHEREFORE, based on the foregoing, NOW respectfully requests that the Commission issue an Order acknowledging its Notice of Withdrawal of Its Motion for Leave to Submit Information Supplementary to Its Motion For Determination of Preliminary Matter.

Submitted this 16th day of August, 2000.

NOW COMMUNICATIONS, INC.

By:

Charles J. Pellegrini

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Its Attorneys

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Done 8/18/00

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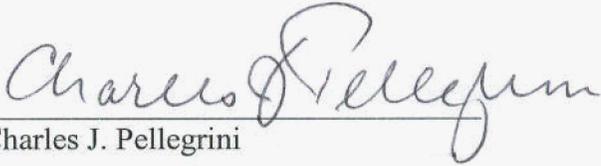
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been served by hand delivery this 16th day of August, 2000, on the following:

Mr. Michael Goggin
c/o Ms. Nancy H. Sims
BellSouth Telecommunications, Inc.
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301-1556

Mr. Tim Vaccaro
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850


Charles J. Pellegrini