



Maria A. Abbagnaro, Esq.
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February 12, 2002

Ms. Blanca Bayó, Director
Division of Commission of Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

011675-TI


Dear Ms. Bayó:

Enclosed for filing are an original and seven (7) copies of the Motion for Withdrawal of Joint Petition of Essex Communications, Inc. d/b/a eLEC Communications ("eLEC") and Adelphia Business Solutions of Jacksonville, Inc and Adelphia Business Solutions Investment, LLC (collectively referred to as "Adelphia") for Waiver of Slamming Rule, Chapter 25-4.118 with respect to the transfer of Adelphia's resold local services customer basis.

Please note that although the anticipated transfer date was February 21, 2001, none of the customer subscriber notice letters were sent to potentially affected customers as the Parties were awaiting Commission approval before going forward. Therefore, the customers remain unaffected by this withdrawal. Please note that the anticipated transfer date is February 21, 2001.

Kindly direct any inquiries regarding this filing to my attention at (203) 229-2402.

Sincerely,



Maria A. Abbagnaro

Enc.

DOCUMENT NUMBER - DATE

01689 FEB 13 2002

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of	:	Docket No.:
Essex Communications, Inc.	:	Filed:
d/b/a eLEC Communications and	:	
Adelphia Business Solutions of	:	
Jacksonville, Inc. and Adelphia	:	
Business Solutions Investment, LLC	:	
For Waiver of Slamming Rule,	:	
Chapter 25-4.118	:	

MOTION FOR WITHDRAWAL OF JOINT PETITION

Adelphia Business Solutions Operations, Inc. (“Adelphia”) and Essex Communications, Inc. d/b/a eLEC Communications (“eLEC”) respectfully request that the Commission permit the withdrawal of its Joint Petition For Approval of Proposed Transfer of Customer Base and Waiver of Slamming Rules (“Joint Petition”) which was filed on December 27, 2001.

Adelphia and eLEC (the “Parties”) do not intend to go forward with the anticipated partial migration of Adelphia’s resale customer base to eLEC. The Commission issued its Notice of Proposed Agency Action Order Granting Waiver of Rule 25-4.118, Florida Administrative Code on February 11, 2002. The Parties were awaiting Commission approval of the subscriber notification letter prior to notifying Adelphia’s affected customers. Therefore, none of the potentially affected customers have received notice of the impending transfer. Further, the parties have complied with 47 CFR 64.1120(e)(2) which requires written notice of any material changes to a transfer of subscriber base to the Federal Communications Commission.

WHEREFORE, for reason stated above, the Petitioners request that the foregoing Motion for Withdrawal be granted.

Respectfully submitted this 12th day of February, 2002.

By:




Maria A. Abbagnaro
Director of Regulatory Affairs
eLEC Communications
509 Westport Avenue
Norwalk, CT 06851
Tel: (203) 229-2402

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Motion for Withdrawal of Joint Petition for Waiver of Slamming Rule, Chapter 25-4.118 was sent via overnight delivery on February 12, 2002 to:

Ms. Blanca Bayó, Director
Division of Commission of Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Terry Romine
Director Legal & Regulatory Affairs
Adelphia Business Solutions
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