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May 3, 2004

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

via Overnight Mail

Re: Docket No. 030301-TP Petition by Mpower Communications Corp. and Florida Digital Network, Inc. for expedited temporary and permanent relief against BellSouth Telecommunications, Inc. for alleged anticompetitive conduct regarding Florida Digital Network, Inc.'s proposed acquisition of assets and customer base of Mpower Communications Corp.

Dear Ms. Bayo:

Enclosed please find an original and seven (7) copies of Mpower Communications Corp. and FDN Communications' Joint Notice of Voluntary Withdrawal of Petition, Without Prejudice.

If you have any questions regarding the enclosed, please call me at 407-835-0460

Sincerely,

CMP _____
COM _____ Matthew Feil
CTR _____ General Counsel
_____ FDN Communications

ECR _____

GCL _____

OPC _____

MMS _____

RCA _____

SCR _____ LOCAL

SEC 1 + cover HR.

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LONG DISTANCE

2301 Lucien Way Suite 200 Maitland, FL 32751
407.835.0300 Fax 407.835.0309 www.fdn.com

DOCUMENT NUMBER DATE

05135 MAY -4 04

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by Mpower Communications)
Corp. and Florida Digital Network, Inc. for)
Expedited temporary and permanent relief)
Against BellSouth Telecommunications, Inc.)
For alleged anticompetitive conduct regarding)
Florida Digital Network, Inc.'s proposed)
Acquisition of assets and customer base of)
Mpower Communications Corp.)
_____)

Docket No. 030301

**JOINT NOTICE OF VOLUNTARY WITHDRAWAL OF PETITION, WITHOUT
PREJUDICE**

Mpower Communications Corp. ("Mpower") and Florida Digital Network, Inc.,
d/b/a FDN Communications ("FDN"), by and through their undersigned counsel, hereby
jointly file notice with the Commission that they hereby voluntarily withdraw their
Petition in the captioned matter, without prejudice.

Respectfully submitted, this 3rd day of May, 2004.

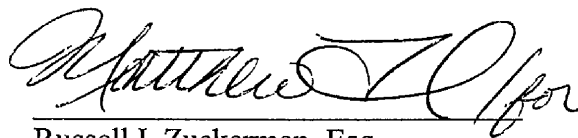


Matthew Feil
FDN Communications
390 North Orange Ave.
Suite 2000
Orlando, FL 32801
407-835-0460
mfeil@mail.fdn.com

DOCUMENT NUMBER-DATE

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Russell I. Zuckerman, Esq.
Sr. Vice President and General Counsel
Mpower Communications Corp.
175 Sully's Trail
Suite 300
Pittsford, NY 14534
585-218-6567
rzuckerman@mpowercom.com

Richard E. Heatter, Esq.
Vice President Legal and Regulatory Affairs
Mpower Communications Corp.
175 Sully's Trail
Suite 300
Pittsford, NY 14534
585-218-6556
rheatter@mpowercom.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by e-mail and regular mail to the persons listed below, other than those marked with an (*) who have been sent a copy via overnight mail, this 3rd day of May, 2004.

AT&T/TCG
Lisa A. Riley/Virginia C. Tate
1200 Peachtree Street, N.E., Ste. 8100
Atlanta, GA 30309
Phone: (404) 810-7812
Fax: (404) 877-7646

Phone: (850) 681-1990
Fax: (850) 681-9676
Email: mgross@fcta.com

BellSouth Telecommunications, Inc.
Nancy B. White/James Meza III/
M. Karno
c/o Ms. Nancy H. Sims
150 South Monroe St., Ste. 400
Tallahassee, FL 32301-1556
Phone: (850) 224-7798
Fax: (850) 222-8640
Email: Nancy.sims@bellsouth.com

Mpower Communications Corp.
Richard Heatter/Russell I. Zuckerman
175 Sully's Trail, Ste. 300
Pittsford, NY 14534-4558
Phone: (585) 218-6556
Fax: (585) 218-0635
Email: rheatter@mpowercom.com
rzuckerman@mpowercom.com

Florida Cable Telecommunications
Assoc., Inc.
Michael A. Gross
246 E. 6th Avenue, Ste. 100
Tallahassee, FL 32303

Womble Carlyle Law Firm
Loretta A. Cecil, Esq.
1201 West Peachtree Street
Ste. 3500
Atlanta, GA 30309
Phone: (404) 888-7437
Fax: (404) 870-4826
Email: lcecil@wcsr.com



Matthew Feil, General Counsel
FDN Communications
2301 Lucien Way, Ste. 200
Maitland, FL 32751
(407) 835-0460
mfeil@mail.fdn.com