

Timolyn Henry

From: Slaughter, Brenda [Brenda.Slaughter@BELLSOUTH.COM]
Sent: Wednesday, May 05, 2004 1:27 PM
To: Filings@psc.state.fl.us
Cc: Peters, Evelyn; Linda Hobbs; Fatool, Vicki; Nancy Sims; Holland, Robyn P.; Meza, James; Carver, J; Bixler, Micheale
Subject: Docket 040130-TP
Importance: High

COMMISSION
CLERK

MAY -5 PM 1:48

FILED-TPSC

- A. Brenda Slaughter
 Legal Secretary to James Meza III
 BellSouth Telecommunications, Inc.
 c/o Nancy Sims
 150 South Monroe, Rm. 400
 Tallahassee, Florida 32301-1558
 (404) 335-0714
brenda.slaughter@bellsouth.com
- B. Docket No. 040130-TP: Joint Petition for Arbitration of NewSouth Communications, Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius [Affiliates] of an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as Amended
- C. BellSouth Telecommunications, Inc. on behalf of James Meza III
- D. 4 pages total
- E. BellSouth Telecommunications, Inc.'s Withdrawal of Motion to Sever or Impose Procedural Restrictions

Brenda Slaughter
 BellSouth Telecommunications, Inc.
 Suite 4300 - Legal Department
 675 W. Peachtree Street
 Atlanta, GA 30375-0001
 Phone: (404) 335-0714

CMP _____
 COM _____
 CTR _____
 ECR _____
 GCL _____
 OPC _____
 MMS _____ *****

RCA _____ **"The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers."**
 SCR _____
 SEC _____
 OTH _____ 113

STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

05224 MAY -5 2004

ORIGINAL

Legal Department

JAMES MEZA III
Attorney
BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(404) 335-0769

May 5, 2004

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No.: 040130-TP

Dear Ms. Bayó:

Enclosed is BellSouth Telecommunications, Inc.'s Withdrawal of Motion to Sever or Impose Procedural Restrictions, which we ask that you file in the captioned docket.

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,


James Meza III (BSS)

Enclosures

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

DOCUMENT NUMBER-DATE

05224 MAY-5 2004

FPSC-COMMISSION CLERK

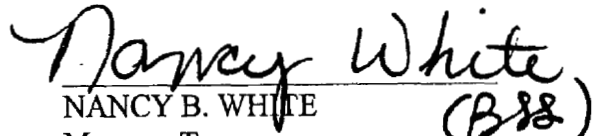
**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**


In the Matter of)	
)	
Joint Petition for Arbitration of)	
NewSouth Communications, Corp.,)	Docket No. 040130-TP
NuVox Communications, Inc.,)	
KMC Telecom V, Inc.,)	
KMC Telecom III LLC, and)	
Xspedius [Affiliates] of an)	
Interconnection Agreement with)	Filed: May 5, 2004
BellSouth Telecommunications, Inc.)	
Pursuant to Section 252(b) of the)	
Communications Act of 1934,)	
as Amended)	

**WITHDRAWAL OF MOTION TO SEVER OR
IMPOSE PROCEDURAL RESTRICTIONS**

Pursuant to the agreement reached by the parties at the issue identification meeting held on April 16, 2004, BellSouth Telecommunications, Inc. ("BellSouth") hereby withdraws its Motion to Sever or Impose Procedural Restrictions filed on February 23, 2004.

Respectfully submitted this 5th day of May, 2004.


NANCY B. WHITE (B88)
Museum Tower
150 West Flagler Street
Suite 1910.
Miami, Florida 33130
(305) 347-5558


R. DOUGLAS LACKEY (RM)
J. PHILLIP CARVER
JAMES MEZA III
General Attorneys
Suite 4300, BellSouth Center
675 West Peachtree Street, N.E.
Atlanta, GA 30375
(404) 335-0769

COUNSEL FOR BELL SOUTH
TELECOMMUNICATIONS, INC.

**CERTIFICATE OF SERVICE
DOCKET NO. 040130-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
Electronic Mail and First Class U. S. Mail this 5th day of May, 2004 to the following:

Patricia Christensen
Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Tel. No. (850) 413-6248
Fax. No. (850) 413-6250
pchriste@psc.state.fl.us

Jake E. Jennings
Senior Vice President
Regulatory Affairs and Carrier Relations
Two North Main Center
Greenville, SC 29601
Tel. No. (864) 672-5877
Fax. No. (864) 672-5105
Atty. for NewSouth
iejennings@newsouth.com

Marva Brown Johnson, Esq.
Senior Regulatory Policy Advisor
1755 North Brown Road
Lawrenceville, GA 30043
Tel. No. (678) 985-6220
Fax. No. (678) 985-6312
Atty. for KMC
marva.johnson@kmctelecom.com

Bo Russell, Vice President
Regulatory and Legal Affairs SE
301 North Main Street, Suite 5000
Greenville, SC 29601
Tel. No. (864) 331-7323
Fax. No. (864) 313-1236
Atty. for NuVox

James C. Falvey
Sr. Vice President – Regulatory Affairs
7125 Columbia Gateway Drive
Suite 200
Columbia, Maryland 21046
Tel. No. (301) 361-4298
Fax. No. (301) 361-7654
Atty. for Xspedius

John J. Heitmann
Enrico C. Soriano
Heather T. Hendrickson
KELLEY DRYE & WARREN LLP
1200 Nineteenth Street, N.W.
Suite 500
Washington, D.C. 20036
Tel. No. (205) 955-9600
Fax. No. (205) 955-9792
jheitmann@kelleydrye.com
esoriano@kelleydrye.com
hhendrickson@kelleydrye.com

Norman H. Horton, Esq.
MESSER CAPARELLO & SELF
215 South Monroe Street, Suite 701
Tallahassee, FL 32302
Tel. No. (850) 222-0720
Fax. No. (850) 224-4351
nhorton@lawfla.com


James Meza III
(B12)