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May 27, 2004

Ms. Blanca S. Bayo, Director  
Division Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Room 110  
Tallahassee, Florida 32399-0850

HAND DELIVERY

RECEIVED-PPSC  
MAY 27 PM 3:55  
COMMISSION  
CLERK

Re: Notice of Voluntary Dismissal  
Docket No. 040147-TP

Dear Ms. Bayo:

Enclosed please find the original and fifteen copies of the Notice of Voluntary Dismissal pertaining to the above referenced docket number.

Please acknowledge receipt of these documents by date-stamping the enclosed copy of this letter and returning it to the undersigned.

Sincerely,

*Martin P. McDonnell*  
Martin P. McDonnell

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_ MPM/tls
- OPC \_\_\_\_\_ Enclosures
- MMS \_\_\_\_\_
- RCA \_\_\_\_\_
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*[Signature]*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
06075 MAY 27 03  
FPSC-COMMISSION CLERK


**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

US LEC of Florida Inc.'s Complaint Against )  
BellSouth Telecommunications, Inc. for )  
Failure to Comply with 47 U.S.C. § 252(i), ) Docket No. 040147-TP  
Request for Approval of § 252(i) Adoption )  
of Existing BellSouth/Time Warner )  
Interconnection Agreement and Request ) Filed: May 27, 2004  
for Emergency Order )  
\_\_\_\_\_ )

**NOTICE OF VOLUNTARY DISMISSAL**

US LEC of Florida, Inc. ("US LEC"), by and through the undersigned, respectfully serves Notice of its Voluntary Withdrawal of the Complaint in the above-referenced docket pursuant to Rule 1.420(a)(1), Florida Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this 27<sup>th</sup> day of May, 2004.

  
MARTIN P. MCDONNELL  
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(850/681-6788)  
ATTORNEYS FOR US LEC OF  
FLORIDA, INC.

DOCUMENT NUMBER-DATE

06075 MAY 27 3

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**CERTIFICATE OF SERVICE**


I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail on this 27th day of May, 2004, to:

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