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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

Re: Notice of Voluntary Dismissal
Docket No. 040234-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

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MAY 27 PM 3:55
COMMISSION
CLERK

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Enclosures

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DOCUMENT NUMBER-DATE
06076 MAY 27 04
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

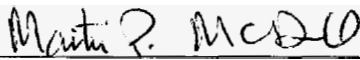
Petition for Arbitration of)
US LEC of Florida Inc.)
Of an Amendment to an)
Interconnection Agreement with)
BellSouth Telecommunications, Inc.)
Pursuant to Section 252(b) of the)
Commissions Act of 1934, as amended)
)
Petition of US LEC of Florida, Inc.)
To Resolve Dispute with)
BellSouth Telecommunications, Inc. on)
Change of Law Provisions to the)
Interconnection Agreement)

Docket No. 040234-TP
Filed: May 27, 2004

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 Petition in the above-referenced docket pursuant to Rule 1.420(a)(1), Florida Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this 27th day of May, 2004.


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ATTORNEYS FOR US LEC OF
FLORIDA, INC.

DOCUMENT NUMBER-DATE
06076 MAY 27 8
FPSC-COMMISSION CLERK

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:

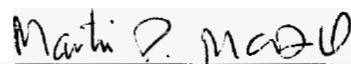
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