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DATE: August 17, 2004

TO: Kay B. Flynn, Chief of Records, Division of the Commission Clerk & Administrative Services

FROM: Jeremy L. Susac, Senior Attorney, Office of the General Counsel *JL* *PK*

RE: Docket 030339-TP: Petition of Allegiance Telecom of Florida, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection and Resale Agreement with BellSouth Telecommunications, Inc.

On August 2, 2004, Commission counsel received a letter from Allegiance Telecom of Florida, Inc. (Allegiance) In its letter, Allegiance states, "that considerations of administrative efficiency support closing Docket 030339-TP at this time." This memorandum requests that the attached letter be filed in the docket as it is integral to closing the docket.

cc: Nancy Pruitt

JLS

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July 30, 2004

Mr. Jeremy Susac, Esq.
Senior Attorney
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 030339-TP: Petition of Allegiance Telecom of Florida, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection and Resale Agreement with BellSouth Telecommunications, Inc.

Dear Mr. Susac:

This letter is in response to yours dated May 27, 2004 concerning the referenced docket.

As I advised you by telephone on Wednesday, July 28, although Allegiance Telecom of Florida, Inc. ("Allegiance") believed that it had reached an agreement with BellSouth Telecommunications, Inc. ("BellSouth") permitting Allegiance to adopt the terms of BellSouth's interconnection agreement with another carrier pursuant to 47 U.S.C. § 252(i), that agreement ultimately was not executed because of concerns related to Allegiance's bankruptcy. Allegiance and BellSouth are currently operating pursuant to the terms of an expired interconnection agreement and are endeavoring to reach agreement upon terms of a new interconnection agreement.

Many of the issues raised in Allegiance's arbitration petition in Docket 030339-TP have been rendered moot by intervening events, and new issues have arisen between Allegiance and BellSouth as a result of those same and other intervening events. Accordingly, Allegiance believes that considerations of administrative efficiency support closing Docket 030339-TP at this time.

Please let me know if you have any further questions concerning this matter.

Very truly yours,


Charles V. Gerkin, Jr.

CVG/s

cc: Ms. Gegi Leeger, XO Communications, Inc.

Mr. John Hamman, BellSouth Telecommunications, Inc.