

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition of CLEC Coalition [AT&T Communications of the Southern States, LLC, DIECA Communications, Inc., d/b/a Covad Communications Company, ITC^DeltaCom Communications, Inc., MCImetro Access Transmission Services, LLC, and MCI WorldCom Communications, Inc.] for Development of a process to evaluate BellSouth Telecommunications, Inc.'s Compliance with the 50/50 plan, a Portion of the Change Management Process.

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Docket No. 031072-TL

Filed: February 9, 2005

**CLEC COALITION WITHDRAWAL OF PETITION**

The CLEC Coalition (AT&T Communications of the Southern States, LLC, DIECA Communications, Inc., d/b/a Covad Communications Company, ITC^DeltaCom Communications, Inc., and MCImetro Access Transmission Services, LLC, and MCI WorldCom Communications, Inc.) hereby withdraws the petition it filed on November 21, 2003 requesting that the Commission evaluate BellSouth Telecommunications Inc.'s (BellSouth) compliance with the 50/50 plan related to the Change Management Process and the parameters of the audit intended to ensure compliance with Commission standards.

1. Representatives of the CLEC Coalition met with BellSouth, with representatives of Pricewaterhouse Coopers' (PwC) and with the Commission Staff to discuss the CLEC Coalition's concerns with the PwC audit. The Parties and PwC met again after completion of the audit, and with Staff's facilitation, discussed the CLEC Coalition's concerns and the best way to approach and resolve such concerns.

2. The Commission Staff reviewed and analyzed a number of confidential documents provided by BellSouth. Staff issued its report on January 31, 2005. The Commission Staff was thorough in assessing the items brought to their attention and suggesting corrective action to be taken by BellSouth. The CLEC Coalition is confident that BellSouth will follow this direction and adhere to the standards and processes that have been agreed to in this docket.<sup>1</sup> And in fact, in correspondence in this docket dated February 7, 2005, BellSouth committed to “implement the suggested changes set forth in the Staff Recommendation based on the understanding that the CLEC Coalition will withdraw its petition and the Commission will close this docket.”<sup>2</sup>

3. The CLEC Coalition appreciates the time, attention, and facilitation skills that Staff has brought to bear on this docket.

WHEREFORE, the CLEC Coalition withdraws its Petition.

S/ Vicki Gordon-Kaufman

Charles Watkins  
Covad Communications Company  
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Atlanta, Georgia 30309

Vicki Gordon-Kaufman  
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For: Covad Communications Company

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<sup>1</sup> The CLEC Coalition remains concerned regarding the decline in capacity that BellSouth has indicated will be available in 2005 and 2006. The CLEC Coalition believes that at least 3000 units per year should be available and will continue to monitor this situation.

<sup>2</sup> BellSouth letter to Blanca Bayo dated February 7, 2005.

S/ Tracy Hatch

Tracy Hatch  
AT&T Communications of the  
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For: AT&T Communications of the  
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S/ Donna McNulty

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For: MCI

S/ Nanette S. Edwards

Nanette S. Edwards  
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For: ITC^DeltaCom Communications, Inc.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing CLEC Coalition's Withdrawal of Petition has been provided by electronic mail and U.S. Mail this 9<sup>th</sup> day of February 2005, to the following:

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S/Vicki Gordon-Kaufman  
Vicki Gordon-Kaufman