# Messer, Caparello & Self

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March 14, 2005

#### **BY HAND DELIVERY**

Ms. Blanca Bayó, Director Commission Clerk and Administrative Services Room 110, Easley Building Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

Re: Docket No. 040514-TP

Dear Ms. Bayó:

Enclosed for filing in the above referenced docket on behalf of Cbeyond Communications, LLC are an original and fifteen copies of Cbeyond Communications, LLC and BellSouth Telecommunications, Inc.'s Joint Motion to Hold Proceeding in Abeyance in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,

Norman H. Horton, Jr.

NHH/amb Enclosures

cc: Parties of Record

## Before the FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of	)	
Petition for Arbitration of	)	Docket No. 040514-TP
remion for Arbitration of	)	Docker No. 040514-11
CBEYOND COMMUNICATIONS, LLC	į	
For an Interconnection Agreement with	)	Filed: March 14, 2005
BellSouth Telecommunications, Inc. Pursuant to	)	11100.111001111, 2000
Section 252(b) of the Communications Act of	)	
1934, as Amended	)	

#### JOINT MOTION TO HOLD PROCEEDING IN ABEYANCE

Cbeyond Communications, LLC ("Cbeyond") and BellSouth Telecommunications, Inc. ("BellSouth") (together, the "Parties"), through counsel, submit this Joint Motion to Hold Proceeding in Abeyance and hereby respectfully request that the Florida Public Service Commission (the "Commission") hold the above-captioned proceeding in abeyance and suspend the established procedural schedule to permit further negotiations between the Parties regarding the disputed issues identified in the Commission's Order Establishing Procedure. The Parties will inform the Commission periodically of the progress of such negotiations. The Parties will jointly or separately file with the Commission a joint Motion to establish a modified procedural schedule for this arbitration, at such time as the Parties deem that further negotiations no longer would be fruitful. By this Joint Motion, and contingent upon a grant by the Commission of the relief requested herein, the Parties agree to waive the deadline, under section 252(b)(4)(C) of the Act, 47 U.S.C. § 252(b)(4)(C), for final resolution by the Commission of the issues set forth in the Commission's Order Establishing Procedure.

DOCUMENT NUMBER-DATE

Order No. PSC-05-0158-PCO-TP, issued February 21, 2005.

Consistent with the foregoing, the Cbeyond and BellSouth hereby respectfully request that the Commission hold the above-captioned proceeding in abeyance until such time as further Commission action is requested by Motion of the parties.

### Respectfully submitted,

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c/o Nancy H. Sims

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Dated: March 14, 2005

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#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served upon the following parties by Hand Delivery (\*) and/or U.S. Mail this 14<sup>th</sup> day of March, 2005.

Beth Keating, Esq.\*
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