

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Joint Petition of MCG Capital Corporation, : Docket No.: 050111-TP
IDS Telcom Corp., and IDS Telcom LLC for :
Approval for Name Change and Transfer of CLEC : Filed: March 16, 2005
Certificate No. 5228 from IDS Telcom LLC to :
IDS Telcom Corp.; for Waiver of Rule 25-4.118, :
F.A.C., Local, Local Toll, or Toll Provider :
Selection in Connection with the Sale of Customer- :
Based and Other Assets from IDS Telcom LLC to :
IDS Telcom Corp.; for Acknowledgement of :
Registration of IDS Telcom Corp. as Intrastate :
Interexchange Telecommunications Company :
Effective February 8, 2005. :
_____ :

**NOTICE OF INTENT TO FILE WRITTEN
RESPONSE IN OPPOSITION TO MOTION TO DISMISS**

Petitioner, PHYLLIS HEIFFER (“Heiffer”), by and through her undersigned counsel, hereby provides notice of her intent to file, within seven (7) days, a written response to MCG Capital Corporation, IDS Telcom Corp., and IDS Telcom LLC’s Motion to Dismiss Petition for a Formal Proceeding and Objection to Application (“Motion”) pursuant to Rule 28-106-204 (1), and respectfully requests that the Commission consider Heiffer’s written response prior to disposing of the issues raised in the motion.

Respectfully submitted,

BROAD AND CASSEL
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By: /S/John Cooney
John Cooney, Esq.
Florida Bar No.: 854451

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Intent to File Written Response was served by electronic mail and U.S. Mail on this 16th day of March, 2005 to the following parties of record:

Beth Keating
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