

ORIGINAL

**Timolyn Henry**

**From:** CJ Cratty [cjcratty@moylslaw.com]  
**Sent:** Wednesday, May 11, 2005 4:02 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Angel Leiro; James Meza, III; Jason Rojas; Mary Jo Peed; Nancy Sims; Nancy White; Vicki Gordon Kaufman  
**Subject:** Docket No. 040488-TP  
**Attachments:** Deposit Dismissal FINAL 05.11.05.pdf

<<Deposit Dismissal FINAL 05.11.05.pdf>>

Pursuant to the Commission's procedures for e-filing, IDS Telcom, LLC provides the following information:

A. The attorney responsible for filing is:

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or  
05/13/05  
KMP

B. The document is to be filed in Docket No. 040488-TP.

C. The document is filed on behalf of IDS Telcom, LLC.

D. The document is 2 pages long.

E. The document is Joint Motion for Dismissal with Prejudice.

**CJ Cratty**

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DOCUMENT NUMBER-DATE

04612 MAY 11 05

FPSC-COMMISSION CLERK

ORIGINAL

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint of BellSouth  
Telecommunications, Inc. Against  
IDS Telcom LLC to Enforce  
Interconnection Agreement Deposit  
Requirements

Docket No. 040488-TP

Filed: May 11, 2005

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**JOINT MOTION FOR DISMISSAL WITH PREJUDICE**

IDS Telcom, LLC (IDS) and BellSouth Telecommunications, Inc. (BellSouth) (collectively, the Parties), hereby jointly move for the entry of an order dismissing this Complaint with prejudice due to the Parties' settlement of this dispute. However, BellSouth does not relinquish or waive its future rights and expressly reserves its rights under the Interconnection Agreement to seek additional deposit amounts consistent with the terms of the Parties' settlement.

**WHEREFORE**, the Parties request that the Commission enter an order dismissing the Complaint with prejudice.

S/ James Meza, III  
James Meza, III  
Nancy B. White  
c/o Ms. Nancy H. Sims  
BellSouth Telecommunications, Inc.  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301-1556

S/Vicki Gordon Kaufman  
Vicki Gordon Kaufman  
Moyle Flanigan Katz Raymond  
& Sheehan, PA  
118 North Gadsden Street  
Tallahassee, FL 32301

Attorney for BellSouth

Attorneys for IDS

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Joint Motion for Dismissal with Prejudice has been served upon the following by electronic mail and U.S. mail this 11<sup>th</sup> day of May 2005.

Jason Rojas  
Office of General Counsel  
Room 370 Gunter Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

s/Vicki Gordon Kaufman  
Vicki Gordon Kaufman