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May 27, 2004

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

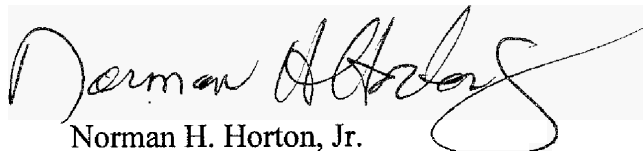
Re: Docket No. 040130-TP

Dear Ms. Bayó:

Enclosed for filing on behalf of KMC Telecom III LLC and KMC Telecom V, Inc. are an original and fifteen copies of KMC's Notice of Withdrawal with Prejudice to be filed 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.

Sincerely yours,



Norman H. Horton, Jr.

NHH/amb
Enclosures
cc: Parties of Record

DOCUMENT NUMBER-DATE
05180 MAY 27 '04

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition by NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC, on behalf of its operating subsidiaries Xspedius Management Co. Switched Services LLC and Xspedius Management Co. of Jacksonville, LLC, for arbitration of certain issues arising in negotiation of interconnection agreement with BellSouth Telecommunications, Inc.

DOCKET NO. 040130-TP

DATED: May 27, 2005

KMC'S NOTICE OF WITHDRAWAL WITH PREJUDICE

KMC Telecom III LLC and KMC Telecom V, Inc. (collectively, "KMC"), respectfully serves notice of its withdrawal of its participation, with prejudice,¹ in the Joint Petition by NewSouth Communications Corp., Nuvox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III, LLC, and Xspedius Communications, LLC, on behalf of its operating subsidiaries Xspedius Management Co. Switched Services LLC and Xspedius Management Co. of Jacksonville, LLC (collectively the "Joint Petitioners"), for arbitration of certain issues arising in negotiation of interconnection agreement with BellSouth Telecommunications, Inc. pursuant to 47 U.S.C. Section 252(b) of the Communications Act of 1934, as Amended in the above referenced docket (the "Arbitration"). KMC's withdrawal, with prejudice, applies only to KMC and does not apply to any of the remaining Joint Petitioners in the Arbitration.

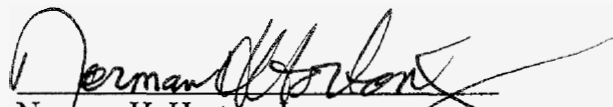
¹ KMC's withdrawal shall be considered a dismissal with prejudice of this Arbitration with respect to KMC only and does not apply to the remaining Joint Petitioners.

DOCUMENT NUMBER-DATE

05180 MAY 27 05

FPSC-COMMISSION CLERK

Respectfully submitted this 27th day of May, 2005.



Norman H. Horton, Jr.

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Attorneys for KMC Telecom III LLC and
KMC Telecom V, Inc.

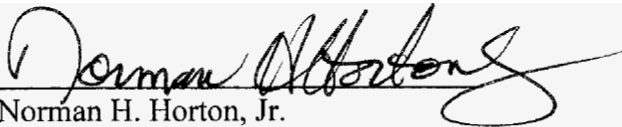
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following parties by hand delivery (*) and/or U.S. Mail this 27th day of May, 2005.

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Norman H. Horton, Jr.