

August 3, 2005



Ms. Blanca S. Bayo, Director  
Division of the Commission Clerk  
& Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 041464 Petition of Sprint-Florida, Inc. for Arbitration of an Interconnection Agreement with Florida Digital Network, Inc. Pursuant to Section 252 of the Telecommunications Filed June 28, 2005 Act of 1996**

Dear: Ms: Bayo:

Be advised that Florida Digital Network, Inc., d/b/a FDN Communications ("FDN") agrees that its August 1<sup>st</sup> Motion to Accept Supplemental Testimony of Dr. August Ankum ("Motion to Accept Testimony") has been rendered moot by the Commission's vote at the August 2 Agenda whereby the Commission denied FDN's Omnibus Motion for Reconsideration and Motion to Revise Schedule. Therefore, the Commission need not rule on FDN's Motion to Accept Testimony.

At the hearing in the captioned matter, which starts tomorrow, FDN does not intend to move the testimony of Dr. Ankum (attached to the Motion to Accept Testimony) into the evidentiary record which the Commission will be relying on for making its decision in the docket, but FDN reserves any rights it may have for appellate purposes

Please feel free to contact me if you have any questions regarding this letter at 407-835-0300.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Feil", written in a cursive style.

Matthew Feil  
General Counsel  
FDN Communications

C: Parties & PSC Staff

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