

Matilda Sanders

ORIGINAL

From: Barclay, Lynn [Lynn.Barcly@BellSouth.com]
Sent: Thursday, September 01, 2005 6:24 PM
To: Filings@psc.state.fl.us
Cc: Fatool, Vicki; Linda Hobbs; Nancy Sims; Holland, Robyn P; Bixler, Micheale; Slaughter, Brenda ; Mays, Meredith; Tyler, John
Subject: 040779-TP Joint Motion for Withdrawal
Attachments: 040779 Joint Motion for Withdrawal.pdf

A. Lynn Barclay
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 150 South Monroe Street
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B. Docket No. 040779-TP: In re: Notice of the Adoption of Existing Interconnection,
 Unbundling, Resale and Collocation Agreement between BellSouth Telecommunications, Inc.
 and Network Telephone Corporation by Z-Tel Communications, Inc.

C. On behalf of BellSouth Telecommunications, Inc.
 and Trisinc Communications, Inc.

D. 4 pages total

E. Joint Motion for Withdrawal between BellSouth Telecommunications, Inc.
 and Trisinc Communications, Inc. formal know as Z-Tel, Communications, Inc.

<<040779 Joint Motion for Withdrawal.pdf>>

CMP _____
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 OPC _____
 RCA _____
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 SGA _____
 SEC 1
 OTH KUMP

Lynn Barclay
 Legal Department
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9/2/2005

DOCUMENT NUMBER-DATE
 08388 SEP-2 05

ORIGINAL

Legal Department

Nancy B. White
General Counsel - Florida

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September 1, 2005

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

**Re: Docket No.: 040779-TP
Notice of the Adoption of Existing Interconnection,
Unbundling, Resale and Collocation Agreement between
BellSouth Telecommunications, Inc. and Network Telephone
Corporation by Z-Tel Communications, Inc.**

Dear Ms. Bayó:

Enclosed is a Joint Motion for Withdrawal of BellSouth Telecommunications, Inc. and Trinsic Communications, Inc., which we ask that you file in the captioned docket.

Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,


Nancy B. White

cc: All Parties of Record
Jerry Hendrix
R. Douglas Lackey
546297

DOCUMENT NUMBER - DATE

08388 SEP-2 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 040779-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Electronic Mail and First Class U.S. Mail this 1st day of September, 2005 to the following:

Jason Rojas
Victor McKay
Staff Counsels
Florida Public Service
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Tampa, FL 33602-5706
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prubino@z-tel.com



Nancy B. White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Notice of the Adoption Existing)
Interconnection, Unbundling, Resale and)
Collocation Agreement between BellSouth)
Telecommunications, Inc. and Network)
Telephone Corporation by Trinsic Communications,)
Inc. (formerly known as Z-Tel)
Communications, Inc.))
_____)

Docket No.: 040779-TP

JOINT MOTION FOR WITHDRAWAL OF
BELLSOUTH TELECOMMUNICATIONS, INC. AND
TRINSIC COMMUNICATIONS, INC.

Trinsic Communications, Inc. ("Trinsic") and BellSouth Telecommunications Inc. hereby move to withdraw items pending before the Florida Public Service Commission and to terminate the above-captioned proceeding.

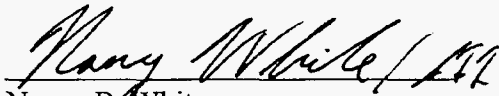
Specifically, Trinsic moves to withdraw its July 22, 2004 notice to this Commission regarding Trinsic's adoption of the existing BellSouth and Network Telephone interconnection agreement pursuant to section 252(i) of the Communications Act, 47 U.S.C. § 252(i). In addition, BellSouth moves to withdraw its request for hearing pursuant to Section 120.57, F.S. and its protest of proposed agency action in Order PSC-05-0158-PAA-TP. As a result of these withdrawals, no additional issues are pending before the Commission in this proceeding, and accordingly, this proceeding should be terminated.

By agreement of the parties, Trinsic shall continue to operate under the terms and conditions of its existing interconnection agreement with BellSouth, pending resolution by the Commission of Docket 041269-T-P (the "Generic Docket"), in which Trinsic is a participant through CompSouth. Trinsic agrees to be bound by the outcome of that proceeding and to enter into a new interconnection agreement, the terms of which have

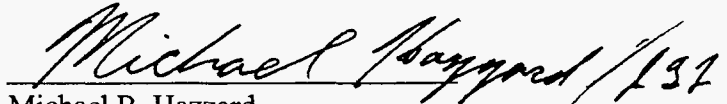
already been negotiated and agreed to by the parties pending the incorporation of the terms and conditions which result from an effective Generic Docket Order.

WHEREFORE, Trinsic and BellSouth respectfully request that the Commission grant this motion and terminate the above-referenced proceeding.

Respectfully submitted,



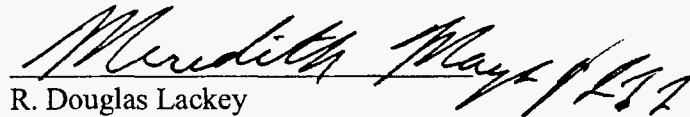
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*w/express
permission*

Counsel to Trinsic Communications, Inc.



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BellSouth Telecommunications, Inc.

September 1, 2005