

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaint of Northeast Florida Telephone)
Company d/b/a NEFCOM against South-)
eastern Services, Inc. for failure to pay) Docket No. 060083-TP
intrastate access charges pursuant to)
Northeast Florida's tariffs and for violation)
of Section 364.16(3)(a), Florida Statutes.)
_____)
In re: Referral by the Circuit Court of the Baker)
County, Florida to determine whether or not)
Southeastern Services, Inc. is legally) Docket No. 060296-TP
responsible for payment to Northeast Florida)
Telephone for originating intrastate access)
charges under Northeast Florida Telephone's)
Public Service Commission approved tariff)
for the long distance calls provided by) Filed: October 9, 2006
Southeastern Services, Inc. as alleged in the)
Amended Complaint.)
_____)

**NORTHEAST FLORIDA TELEPHONE COMPANY D/B/A
NEFCOM AND SOUTHEASTERN SERVICES, INC.'S
JOINT MOTION TO DISMISS THE REFERRAL FROM THE
CIRCUIT COURT IN BAKER COUNTY**

Northeast Florida Telephone Company, d/b/a NEFCOM and SOUTHEASTERN SERVICES, INC. ("SSI"), by and through their respective counsel, and pursuant to the Unopposed Joint Motion for Abatement and Continuance filed by NEFCOM and SSI and Order No. PSC-06-0687-PCO-TP issued August 9, 2006 granting said Unopposed Joint Motion for Abatement and Continuance, hereby jointly move to dismiss the primary jurisdiction referral by the Baker County Circuit Court of the voice over Internet protocol access charge issue between NEFCOM and SSI on the ground that NEFCOM and SSI have reached a full, complete and binding settlement of the matters at issue in the Baker County Circuit Court referral.

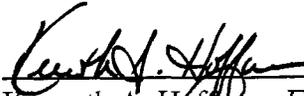
DOCUMENT NUMBER-DATE

09305 OCT-9 8

FPSC-COMMISSION CLERK

WHEREFORE, for the foregoing reasons, NEFCOM and SSI jointly request the Commission to dismiss the referral from the Circuit Court of Baker County and close Docket No. 060296-TP.

Respectfully submitted,



Kenneth A. Hoffman, Esq.
Marsha E. Rule, Esq.
Martin P. McDonnell, Esq.
Rutledge, Ecenia, Purnell & Hoffman, P.A.
215 S. Monroe Street, Ste. 420
P.O. Box 551
Tallahassee, FL 32301
850-681-6788 (Telephone)
860-681-6515 (Telecopier)

Benjamin H. Dickens, Jr., Esq.
Blooston, Mordkofsky, Jackson & Dickens
2120 L Street, Northwest
Washington, DC 20037
(202) 828-5510 (Telephone)
(202) 828-5568 (Telecopier)

Attorneys for Northeast Florida Telephone Company
d/b/a NEFCOM

-- and --

Suzanne Fannon Summerlin, Esq.
Suzanne Fannon Summerlin, P.A.
2536 Capital Medical Boulevard
Tallahassee, FL 32309

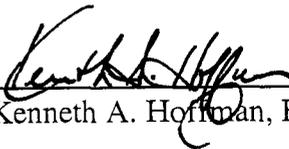
Attorney for Southeastern Services, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by U.S. Mail to the following this 9th day of October, 2006:

Suzanne Fannon Summerlin, Esq.
Suzanne Fannon Summerlin, P.A.
2536 Capital Medical Boulevard
Tallahassee, FL 32309

Jason Fudge, Esq.
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



Kenneth A. Hoffman, Esq.

nftc\newcomplaint\noticeofdismissal