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07 JUL 29 PM 2:59  
COMMISSION CLERK

July 27, 2007

**Via Hand Delivery**

Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 050881-TP  
Complaint of DIECA Communications, Inc. d/b/a  
Covad Communications Company against BellSouth  
Telecommunications, Inc.

Dear Ms. Cole:

Enclosed for filing on behalf of Covad Communications Company ("Covad"), please find an original Notice of Voluntary Dismissal of Complaint with Prejudice, along with 15 copies.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for assistance with this filing.

Sincerely,

*Wicki Price for*  
Martin P. McDonnell

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
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- ECR \_\_\_\_\_
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- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

06443 JUL 27 06

FPSC-COMMISSION CLERK

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Complaint of DIECA Communications, Inc.,  
d/b/a Covad Communications Company against  
BellSouth Telecommunications, Inc.


Docket No. 050881-TP  
Filed: July 27, 2007

**COVAD'S NOTICE OF VOLUNTARY DISMISSAL OF COMPLAINT WITH  
PREJUDICE**

DIECA Communications, Inc. d/b/a/ Covad Communications Company ("Covad"), hereby respectfully submits this Notice of Voluntary Dismissal, with prejudice, of its complaint in this Docket. By this Notice, Covad dismisses the complaint filed in the instant cause on November 17, 2005. In support of this Notice, Covad states as follows:

1. On November 17, 2005, Covad filed a complaint against BellSouth Telecommunications, Inc. for alleged breaches of their interconnection agreement.
2. On July 24, 2007, Covad and BellSouth (now AT&T) executed a new interconnection agreement and Covad therefore dismisses this complaint with prejudice.

Thus, for all reasons set forth herein, Covad respectfully requests that the Commission acknowledge this Notice of Voluntary Dismissal, with prejudice.

  
MARTIN P. MCDONNELL, ESQ.  
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ATTORNEY FOR COVAD

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the forgoing Notice of Voluntary

DOCUMENT NUMBER-DATE

06443 JUL 27 07

FPSC-COMMISSION CLERK

Dismissal with Prejudice was served by U.S. Mail this 27<sup>th</sup> day of July, 2007, to the following:

Patrick Wiggins  
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Division of Legal Services  
2540 Shumard Oak Boulevard  
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