

Ruth Nettles

090135-TP

From: Lynette Tenace [ltenace@kagmlaw.com]
Sent: Wednesday, November 04, 2009 3:07 PM
To: Filings@psc.state.fl.us
Cc: gene.watkins@cbeyond.net; Charles Murphy; ke2722@att.com; Tracy Hatch; mg2708@att.com
Subject: Docket No. 090135-TP
Attachments: Cbeyond Notice of Voluntary Dismissal of Complaint Without Prejudice 11.04.09.pdf

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

- a. The name, address, telephone number and email for the person responsible for the filing is:

Vicki Gordon Kaufman
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118 North Gadsden Street
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(850) 681-3828
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b. This filing is made in Docket No. 090135-TP, In re Complaint of Cbeyond Communications, LLC Against AT&T Florida For Anticompetitive Behavior And Violation of Interconnection Agreement.

c. The document is filed on behalf of Cbeyond Communications, LLC.

d. The total pages in the document is 2 pages.

e. The attached document is Cbeyond's Notice of Voluntary Dismissal of Complaint Without Prejudice.

Lynette Tenace

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DOCUMENT NUMBER-DATE

11123 NOV-4 8

FPSC-COMMISSION CLERK

11/4/2009

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaint of Cbeyond Communications,
LLC against AT&T Communications
of the Southern States, LLC, d/b/a
AT&T and AT&T Florida for failure
to pay intrastate access charges pursuant
to Cbeyond's Price List and interconnection
Agreement and for violation of Section
364.16(3)(a), Florida Statutes.

Docket No. 090135-TP

Filed: November 4, 2009

**CBEYOND'S NOTICE OF VOLUNTARY
DISMISSAL OF COMPLAINT WITHOUT PREJUDICE**

Cbeyond Communications, LLC (Cbeyond) hereby files this Notice of Voluntary
Dismissal Without Prejudice of its Complaint filed in this docket on March 18, 2009.

s/ Jon C. Moyle, Jr.

Jon C. Moyle, Jr.
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Attorneys for Cbeyond

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Voluntary Dismissal Without Prejudice was served via Electronic Mail and U.S. Mail this 4th day of November, 2009 to the following:

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s/ Jon C. Moyle, Jr.
Jon C. Moyle, Jr.