



Public Service Commission

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DATE: May 9, 2012

TO: Ann Cole, Commission Clerk, Office of Commission Clerk

FROM: Lee Eng Tan, Senior Attorney, Office of the General Counsel
Catherine S. Beard, Regulatory Analyst II, Division of Regulatory Analysis

RE: Docket No. 080523-TX - Application of NewPhone for Certification as an Eligible Telecommunication Carrier

On May 7, 2012, Image Access, Inc. d/b/a NewPhone requested to withdraw without prejudice its Application for Certification as an Eligible Telecommunication Carrier. Pursuant to APM 2.07(C)(2)(d), administrative disposition may occur upon request by petitioner if certain criteria are met.

“Other dockets initiated by the filing of a petition, application, notice, complaint or other request in which the applicant, petitioner or complainant seeks to withdraw its initial pleading and staff has determined that there are no pending issues that need to be addressed by the Commission regarding the filing, no request for refund of filing fee has been made, and no agency action has been taken.”

Staff is requesting this docket be closed administratively as there are no pending issues that need to be addressed, and the Commission has taken no action in this docket.

Attachment

ok to close. 5/09/12 hws

DOCUMENT NUMBER DATE
02972 MAY-9 2
FPSC-COMMISSION CLERK

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Application of Image Access,)
Inc. d/b/a NewPhone for Certification as)
an Eligible Telecommunications Carrier)
_____)

Docket No. 080523-TX

MOTION TO WITHDRAW APPLICATION WITHOUT PREJUDICE

COMES NOW, Image Access, Inc. d/b/a NewPhone ("NewPhone") before the Florida Public Service Commission ("FPSC" or the "Commission"), by and through its President, and respectfully moves to withdraw, without prejudice, its Application for Certification as an Eligible Telecommunications Carrier, which was filed in the above-captioned docket on August 5, 2008. On April 19, 2012, NewPhone filed a notice with the Commission in FPSC Docket No. 120124-TX, informing the Commission that NewPhone will discontinue providing services in the State of Florida, which proposed discontinuance is expected to occur between June 19, 2012 and July 18, 2012. NewPhone's proposed discontinuance of service is being accomplished without surrender or cancellation of its telecommunications authorization.

WHEREFORE, Image Access, Inc. d/b/a NewPhone respectfully requests that its Application for Certification as an Eligible Telecommunications Carrier in the above-referenced docket be withdrawn, without prejudice, and that this docket be closed.

Respectfully submitted,

 /s/ Jim Dry
Jim R. Dry, President
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DOCUMENT NUMBER - DATE

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