

**Eric Fryson**

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**Sent:** Friday, June 01, 2012 2:23 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Masterton, Susan S; Sherr, Adam  
**Subject:** 090538- Notice of Voluntary Dismissal-Access Point  
**Attachments:** 090538-TP Notice of Voluntary Dismissal Access 6-1-12.pdf

\*\*\*\*\*This is the corrected version. Sorry for the confusion. Thanks, Roberta

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Docket No. 090538

Title of filing: Notice of Voluntary Dismissal With Prejudice Of Access Point, Inc.

Filed on behalf of: CenturyLink QCC

No of pages: 4

Description: Notice of Voluntary Dismissal With Prejudice Of Access Point, Inc.

**Roberta Cooper**  
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DOCUMENT NUMBER DATE

03566 JUN-1 2012

FPSC-COMMISSION CLERK

6/1/2012

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Amended Complaint of Qwest Communications Company, LLC against MCImetro Access Transmission Services (d/b/a Verizon Access Transmission Services); XO Communications Services, Inc.; tw telecom of florida, l.p.; Granite Telecommunications, LLC; Broadwing Communications, LLC; Access Point, Inc.; Birch Communications, Inc.; Budget Prepay, Inc.; Bullseye Telecom, Inc.; DeltaCom, Inc.; Ernest Communications, Inc.; Flatel, Inc.; Navigator Telecommunications, LLC; PaeTec Communications, Inc.; STS Telecom, LLC; US LEC of Florida, LLC; Windstream Nuvox, Inc.; and John Does 1 through 50, for unlawful discrimination.

DOCKET NO. 090538-TP

DATED: June 1, 2012

**NOTICE OF VOLUNTARY DISMISSAL  
WITH PREJUDICE OF ACCESS POINT, INC.**

Qwest Communications Company, LLC d/b/a CenturyLink QCC ("QCC"), by and through its undersigned counsel, hereby files this voluntary dismissal with prejudice of its claims in this Complaint against Access Point, Inc. ("Access"). QCC files this voluntary dismissal of Access based on QCC's and Access's execution of a Confidential Settlement Agreement and Release, included with this Notice as Exhibit A.<sup>1</sup> The Agreement resolves the issues raised by QCC in its Amended Complaint as they relate to Access.

<sup>1</sup> A redacted copy of Exhibit A is attached to this Notice. An unredacted copy of Exhibit A is being filed with the Commission under a separate Claim of Confidentiality on this same day. A copy of the Exhibit, unredacted except for the settlement amount and related payment terms, will be provided to Parties who have executed a nondisclosure agreement with QCC.

DOCUMENT NUMBER DATE

03566 JUN-1 2012

FPSC-COMMISSION CLERK

RESPECTFULLY SUBMITTED on this 1<sup>st</sup> day of June, 2012.

/s/ Susan S. Masterton  
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ATTORNEYS FOR QWEST COMMUNICATIONS  
COMPANY, LLC D/B/A CENTURYLINK QCC

EXHIBIT A

**CONFIDENTIAL SETTLEMENT AGREEMENT & RELEASE**  
(REDACTED)

**CERTIFICATE OF SERVICE  
DOCKET NO. 090538-TP**

I hereby certify that a true and correct copy of the foregoing has been served upon the following by electronic mail delivery and/or U.S. Mail this 1<sup>st</sup> day of June, 2012.

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| <p>Florida Public Service Commission<br/>Theresa Tan<br/>Office of General Counsel<br/>2540 Shumard Oak Blvd.<br/>Tallahassee, FL 32399-0850<br/><a href="mailto:ltan@psc.state.fl.us">ltan@psc.state.fl.us</a></p>  | <p>Division of Regulatory Analysis<br/>Jessica Miller<br/>Florida Public Service Commission<br/>2540 Shumard Oak Boulevard<br/>Tallahassee, FL 32399<br/><a href="mailto:JEMiller@psc.state.fl.us">JEMiller@psc.state.fl.us</a></p>                                      |
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/s/ Susan S. Masterton  
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