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6/6/2012

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF FLORIDA**

Amended Complaint of QWEST
COMMUNICATIONS COMPANY, LLC, Against
MCIMETRO ACCESS TRANSMISSION
SERVICES, LLC (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.,
LIGHTYEAR NETWORK SOLUTIONS, LLC,
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

Filed: June 6, 2012

**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL AND/OR AS
QUALIFIED REPRESENTATIVES FOR NAVIGATOR
TELECOMMUNICATIONS, LLC.**

Pursuant to Rule 28-106.105(3) of the Florida Administrative Code,¹ the undersigned respectfully file this Motion for Leave to Withdraw as Counsel and/or as *Qualified Representatives for Navigator Telecommunications, LLC*. (“Navigator”) in the above-captioned proceeding as of the filing of this Motion. Navigator has discharged the undersigned from representing it in this proceeding. Therefore, pursuant to Rule 4-1.16(a)(3) of the Florida Bar Rules of Professional Conduct, good cause exists to grant this Motion. Moreover, while this Motion is pending, Navigator has explicitly not

¹ Rule 28-106.105(3), Florida Administrative Code, states that “[o]n written motion served on the party represented and all other parties of record, the presiding officer shall grant counsel of record and qualified representatives leave to withdraw for good cause shown.”

authorized the undersigned to act or otherwise do any work on Navigator's behalf in this proceeding.

Accordingly, it is hereby requested that copies of all future pleadings, motions, notices, discovery, and other papers in this proceeding directed to Navigator should no longer be served on the undersigned of Bingham McCutchen LLP. Rather, at the request of Navigator, copies of all future pleadings, motions, notices, discovery, and other papers in this proceeding should be served on Michael McAlister of Navigator until June 8, 2012² and after that date on the following individual at Navigator:

David Stotelmyer
Navigator Telecommunications, LLC.
8525 Riverwood Park Drive
P.O. Box 13860
North Little Rock, AR 72113
Tel: (501) 954-4009
Fax: (501) 954-4002
david@navtel.com

Navigator has informed the undersigned that it consents to the filing of this Motion and agrees with the statements made herein.

For the foregoing reasons, the undersigned request that this Motion be granted.

Respectfully submitted this 6th day of June, 2012.

/s/ Philip J. Macres
Eric J. Branfman, Esq. (not admitted in
Florida) (*)
Philip J. Macres, Esq., Fla. Bar No. 137900

² See Notice of Withdrawal of Qualified Representative Michael McAlister of Navigator Telecommunications, LLC, Docket 090538-TP (filed June 5, 2012) (stating that “[a]s of June 8, 2012, Michael McAlister is withdrawn as Qualified Representative for Navigator Telecommunications, LLC.” in this case).

Kimberly A. Lacey (not admitted in Florida)

(*)

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(*) Pursuant to Order No. PSC-10-0691-
FOF-OT in Docket No. 100008-OT issued
on November 18, 2010, Eric J. Branfman
and Kimberly A. Lacey were previously
designated as qualified representatives for
Navigator in this proceeding.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the following by email this 6th day of June, 2012.

Lee Eng Tan Jessica Miller Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 ltan@psc.state.fl.us jemiller@psc.state.fl.us	Matthew J. Feil Gunster, Yoakley & Stewart, P.A. 215 S. Monroe Street, Suite 601 Tallahassee, Florida 32301 mfeil@gunster.com
Mr. Chris Bunce Birch Communications, Inc. 2300 Main Street, Suite 600 Kansas City, MO 64108-2415 Chris.bunce@birch.com	Mr. Greg Diamond Broadwing Communications, Inc. c/o Level 3 Communications 1025 Eldorado Boulevard Broomfield, CO 80021-8869 Greg.Diamond@level3.com
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Ernest Communications, Inc. 5275 Triangle Parkway, Suite 150 Norcross, GA 30092-6511 lhaag@ernestgroup.com	Flatel, Inc. c/o Adriana Solar Executive Center, Suite 100 2300 Palm Beach Lakes Blvd. West Palm Beach, FL 33409-3307 asolar@flatel.net

<p>Granite Telecommunications, LLC 100 Newport Avenue Extension Quincy, MA 02171-1734 rcurier@granitenet.com</p>	<p>Andrew M. Klein/Allen C. Zoracki Klein Law Group 1250 Connecticut Ave. NW, Suite 200 Washington, DC 20036 AKlein@kleinlawPLLC.com azoracki@kleinlawpllc.com</p>
<p>John Greive Lightyear Network Solutions, LLC 1901 Eastpoint Parkway Louisville, KY 40223-4145 john.greive@lightyear.net</p>	<p>Michael McAlister Navigator Telecommunications, LLC. P.O. Box 13860 North Little Rock, AR 72113-0860 mike@navtel.com</p>
<p>Mr. John Ivanuska XO Communications Services, Inc. 10940 Parallel Parkway, Suite K - #353 Kansas City, KS 66109-4515 john.ivanuska@xo.com Kris.Shulman@xo.com</p>	<p>Richard Brown Access Point, Inc. 1100 Crescent Green, Suite 109 Cary, NC 27511 Richard.brown@accesspointinc.com</p>
<p>Adam L. Sherr Qwest Communications Company, LLC 1600 7th Avenue, Room 1506 Seattle, WA 98191 Adam.Sherr@qwest.com</p>	<p>Marsha Rule Rutledge Law Firm Post Office Box 551 Tallahassee, FL 32302 marsha@reuphlaw.com</p>
<p>Susan S. Masterton CenturyLink 315 S. Calhoun Street, Suite 500 Tallahassee, FL 32301 Susan.masterton@centurylink.com</p>	<p>Ms. Carolyn Ridley tw telecom of florida l.p. 2078 Quail Run Drive Bowling Green, KY 42104 Carolyn.Ridley@twtelecom.com</p>
<p>Alan C. Gold, P.A. 1501 Sunset Drive, 2nd Floor Coral Gables, FL 33143 acgold@acgoldlaw.com</p>	<p>Ms. Rebecca A. Edmonston Verizon Access Transmission Services 106 East College Avenue, Suite 710 Tallahassee, FL 32301-7721 Rebecca.edmonston@verizon</p>

<p>Brenda Merritt Division of Regulatory Analysis Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 bmerritt@psc.state.fl.us</p>	<p>Ed Krachmer PAETEC Communications, Inc.; US LEC of Florida, LLC d/b/a PAETEC Business Services and Windstream NuVox, Inc 4001 Rodney Parham Road MS: 1170-B1F03-53A Little Rock, AR 72212 Edward.Krachmer@windstream.com</p>
<p>Dulaney L. O'Roark III Verizon Florida LLC Six Concourse Parkway, NE, Suite 800 Atlanta, GA 30328 de.oroark@verizon.com</p>	<p>Ms. Bettye Willis PAETEC Communications, Inc.; US LEC of Florida, LLC d/b/a PAETEC Business Services and Windstream NuVox, Inc. 13560 Morris Rd., Suite 2500 Milton, GA 30004 Bettye.j.willis@windstream.com</p>
	<p>Howard Adams Pennington Law Firm P.O. Box 10095 Tallahassee, FL 32302 gene@penningtonlaw.com</p>

By: /s/ Kimberly A. Lacey
Kimberly A. Lacey