

Eric Fryson

From: WOODS, VICKIE (Legal) [vf1979@att.com]
Sent: Wednesday, February 06, 2013 2:00 PM
To: Filings@psc.state.fl.us
Subject: 120231-TP AT&T Florida's Joint Motion to Dismiss Complaint and Counterclaim
Attachments: img-130206184537-0001.pdf

- A. Vickie Woods
BellSouth Telecommunications, LLC d/b/a AT&T Florida
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Suite 400
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- B. Docket No. 120231-TP Complaint of Budget Prepay, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida
- C. BellSouth Telecommunications, LLC d/b/a AT&T Florida on behalf of Tracy W. Hatch
- D. 4 pages total (includes letter, certificate of service and pleading)
- E. BellSouth Telecommunications, LLC d/b/a AT&T Florida's Joint Motion to Dismiss Complaint and Counterclaim

.pdf



DOCUMENT NUMBER - DATE

00736 FEB-6 2013

FPSC-COMMISSION CLERK



Tracy W. Hatch
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February 6, 2013

Ms. Ann Cole
Commission Clerk
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

**Re: Docket No. 120231-TP
Complaint of Budget Prepay, Inc. against BellSouth
Telecommunications, Inc. d/b/a AT&T Florida**

Dear Ms. Cole:

Enclosed is BellSouth Telecommunications, LLC d/b/a AT&T Florida and Budget Prepay Inc.'s Joint Motion to Dismiss Complaint and Counterclaim, which we ask that you file in the captioned docket.

Copies have been served to the Parties shown on the attached Certificate of Service list.

Sincerely,

s/Tracy W. Hatch

Tracy W. Hatch

cc: Parties of Record
Gregory R. Follensbee
Suzanne L. Montgomery
Patrick W. Turner

1046045

FLORIDA PUBLIC SERVICE COMMISSION

Complaint of Budget Prepay, Inc. against) Docket No. 120231-TP
BellSouth Telecommunications, LLC d/b/a AT&T)
Florida) Filed: February 6, 2012

JOINT MOTION TO DISMISS COMPLAINT AND COUNTERCLAIM

Budget PrePay, Inc. ("Budget") and BellSouth Telecommunications LLC d/b/a AT&T Florida ("AT&T Florida") (collectively the "Parties"), pursuant to Rule 28-106.204, Florida Administrative Code, submits this joint motion to dismiss with prejudice the complaint filed by Budget against AT&T Florida and the counterclaim filed by AT&T Florida against Budget in the above-styled matter. The parties request that their respective claims be dismissed with prejudice, that each party bear its own costs and fees, and that this docket be closed.

s/ Jon C. Moyle, Jr.

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Attorneys for Budget Prepay, Inc.

DOCUMENT NUMBER - DATE

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s/Tracy W. Hatch

Suzanne L. Montgomery

Tracy W. Hatch

c/o Gregory R. Follensbee

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Attorneys for BellSouth

Telecommunications LLC d/b/a AT&T

Florida

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Joint Motion to Dismiss with Prejudice has been furnished by Electronic Mail (*) and U.S. Mail to the following, this 6th day of February, 2013:

(*)Adam Teitzman

(*) Charles Murphy

Staff Counsels

Florida Public Service Commission

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s/ Jon C. Moyle, Jr.

s/ Tracy W. Hatch