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September 2, 1999

**ORIGINAL**

RECEIVED - FPSC

23 SEP -2 PM 3:39

RECORDS AND  
REPORTING

**BY HAND DELIVERY**

Ms. Blanca Bayo, Director  
Division of Records and Reporting  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 981008-TP

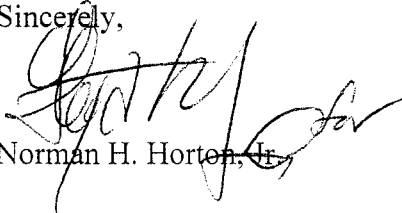
Dear Ms. Bayo:

Enclosed for filing on behalf of e.spire Communications, Inc. are an original and fifteen copies of e.spire's Notice of Withdrawal of Portions of Reply in the above captioned docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,

  
Norman H. Horton, Jr.

AFA \_\_\_\_\_  
APP      NHH/amb  
CAF      Enclosure  
CMU      cc: James C. Falvey, Esq.  
CTR \_\_\_\_\_ Parties of Record  
EAG \_\_\_\_\_  
LEG      2  
MAS      3  
OPC \_\_\_\_\_  
PAI \_\_\_\_\_  
SEC      1  
WAW \_\_\_\_\_  
OTH \_\_\_\_\_

RECEIVED & FILED

  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10559 SEP-2 99

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for arbitration concerning )  
complaint of American Communication )  
Services of Jacksonville, Inc. d/b/a )  
e.spire Communications, Inc. and ACSI )  
Local Switched Services, Inc. d/b/a e.spire )  
Communications, Inc. against BellSouth )  
Telecommunications, Inc. regarding )  
reciprocal compensation for traffic )  
terminated to Internet service providers. )  
\_\_\_\_\_)

DOCKET NO. 981008-TP  
FILED: September 2, 1999

**e.spire COMMUNICATIONS, INC.'S NOTICE OF  
WITHDRAWAL OF PORTIONS OF REPLY**

COMES NOW, American Communication Services of Jacksonville, Inc. d/b/a e.spire Communications, and ACSI Local Switched Services, Inc. d/b/a e.spire Communications, Inc. (collectively "e.spire" or the "Company") through undersigned counsel and files this Notice of Withdrawal of Portions of its Reply to the Motion for Stay filed by BellSouth Telecommunications, Inc.'s ("BellSouth"). As grounds, e.spire would state:

1. On August 20, 1999, BellSouth Telecommunications, Inc. filed a Motion to Stay Order No. PSC-99-0658-FOF-TP and on September 1, 1999 e.spire timely filed its Reply.
2. At the time the Reply was filed, e.spire was not aware of any pending complaint or judicial review based on inquiries to the Court and Staff. e.spire addressed this in its reply.

DOCUMENT NO.  
10559-99  
9/2/99

3. On September 2, 1999, after the Reply was filed, e.spire received a copy of a Complaint and correspondence from counsel for BellSouth indicating that a Complaint had been filed. Accordingly, e.spire would withdraw those portions of its Reply to the Motion to Stay that address the absence of a complaint.

Respectfully submitted,



NORMAN H. HORTON, JR.  
FLOYD R. SELF  
Messer, Caparello & Self, P.A.  
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Tallahassee, FL 32302-1876  
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Attorneys for e.spire Communications, Inc.

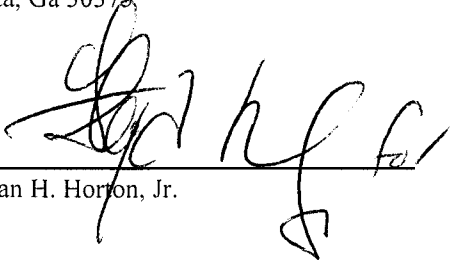
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that true and correct copies of e.spire Communications, Inc.'s Notice of Withdrawal of Portions of Reply have been served upon the following parties by Hand Delivery (\*) and/or U. S. Mail this 2nd day of September, 1999.

Beth Keating, Esq.\*  
Division of Legal Services, Room 370  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Nancy B. White  
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BellSouth Telecommunications, Inc.  
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E. Earl Edenfield, Esq.  
BellSouth Telecommunications, Inc.  
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Atlanta, Ga 30375

  
\_\_\_\_\_  
Norman H. Horton, Jr.