

## Ruth Nettles

---

**From:** Lynette Tenace [ltenace@kagmlaw.com]  
**Sent:** Tuesday, April 14, 2009 9:05 AM  
**To:** Filings@psc.state.fl.us  
**Cc:** Adam Teitzman; Lisa Harvey; greg.follensbee@att.com; Beth Keating; kmudge@covad.com; rc1191@att.com; matt.feil@akerman.com; dkonuch@fcta.com; gene@penningtonlaw.com; de.oroark@verizon.com; Carolyn.ridley@twtelecom.com; douglas.c.nelson@sprint.com  
**Subject:** Docket No. 000121A-TP  
**Attachments:** Notice of Voluntary Withdrawal Without Prejudice 04.14.09.pdf

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

- a. The name, address, telephone number and email for the person responsible for the filing is:

Vicki Gordon Kaufman  
Keefe Anchors Gordon & Moyle  
118 North Gadsden Street  
Tallahassee, FL 32301  
(850) 681-3828  
[vkaufman@kagmlaw.com](mailto:vkaufman@kagmlaw.com)

- b. This filing is made in Docket No. 000121A-TP, In re Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies. (BellSouth Track)
- c. The document is filed on behalf of Competitive Carriers of the South Inc. (CompSouth).
- d. The total pages in the document is 3 pages.
- e. The attached document is Notice of Voluntary Withdrawal Without Prejudice.

Lynette Tenace

**NOTE: New E-Mail Address**  
[ltenace@kagmlaw.com](mailto:ltenace@kagmlaw.com)



Keefe, Anchors, Gordon and Moyle, P.A.  
The Perkins House  
118 N. Gadsden St.  
Tallahassee, FL 32301  
850-681-3828 (Voice)  
850-681-8788 (Fax)  
[www.kagmlaw.com](http://www.kagmlaw.com)

The information contained in this e-mail is confidential and may be subject to the attorney client privilege or may constitute privileged work product. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the agent or employee responsible to deliver it to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you receive this e-mail in error, please notify us by telephone or return e-mail immediately. Thank you.

DOCUMENT NUMBER-DATE

03297 APR 14 8

4/14/2009

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Investigation into the establishment of operations support systems permanent Performance measures for incumbent local exchange telecommunications companies. (BellSouth Track)

Docket No. 000121A-TP

Filed: April 14, 2009

---

**NOTICE OF VOLUNTARY WITHDRAWAL WITHOUT PREJUDICE**

The Competitive Carriers of the South, Inc. (CompSouth), pursuant to Rule 1.420(a), Florida Rules of Civil Procedure, hereby voluntarily withdraws, without prejudice, its Objection to BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast's (AT&T) declaration of a Force Majeure Event related to an incident in its St. Louis data center occurring on December 6, 2008. CompSouth anticipates that AT&T will file more information regarding future force majeure events so that CompSouth (and others) may evaluate early in the process whether a force majeure event has occurred and avoid the need for an objection and consideration of such objection.

s/ Vicki Gordon Kaufman

Vicki Gordon Kaufman  
Keefe Anchors Gordon & Moyle, PA  
118 North Gadsden Street  
Tallahassee, FL 32301  
(850) 681-3828 (Voice)  
(850) 681-8788 (Facsimile)  
[vkaufman@kagmlaw.com](mailto:vkaufman@kagmlaw.com)

Attorneys for CompSouth

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was served via

Electronic Mail and U.S. Mail this 14<sup>th</sup> day of April 2009 to the following:

Adam Teitzman  
Staff Counsel  
Lisa Harvey  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0580  
Email: [ateitzma@psc.state.fl.us](mailto:ateitzma@psc.state.fl.us)  
[lsharvey@psc.state.fl.us](mailto:lsharvey@psc.state.fl.us)

Gregory Follensbee  
AT&T Florida  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301-1561  
Email: [greg.follensbee@att.com](mailto:greg.follensbee@att.com)

Beth Keating  
Akerman Law Firm  
106 East College Avenue, Suite 1200  
Tallahassee, FL 32301  
Email: [beth.keating@akerman.com](mailto:beth.keating@akerman.com)

Katherine K. Mudge  
Covad Communications Company  
7000 N. MoPac Expressway, Floor 2  
Austin, TX 78731  
Email: [kmudge@covad.com](mailto:kmudge@covad.com)

Robert Culpepper  
AT&T Florida  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301-1561  
Email: [rc1191@att.com](mailto:rc1191@att.com)

Matthew Feil  
Akerman Senterfitt  
105 East College Ave., Suite 1200  
Tallahassee, FL 32301  
Email: [matt.feil@akerman.com](mailto:matt.feil@akerman.com)

David A. Konuch  
Florida Cable Telecommunications  
Association, Inc.  
246 E. 6th Avenue, Suite 100  
Tallahassee, FL 32303  
Email: [dkonuch@fcta.com](mailto:dkonuch@fcta.com)

Howard E. Adams  
Pennington Law Firm  
215 S. Monroe Street, 2<sup>nd</sup> Floor  
Tallahassee, FL 32301  
Email: [gene@penningtonlaw.com](mailto:gene@penningtonlaw.com)

Dulaney O'Roark, III  
Verizon  
Six Concourse Parkway  
Suite 3200  
Atlanta, GA 30328  
Email: [de.oroark@verizon.com](mailto:de.oroark@verizon.com)

Carolyn Ridley, VP Regulatory Affairs  
Time Warner Telecom of Florida, L.P.  
555 Church Street, Suite 2300  
Nashville, TN 37219  
Email: [Carolyn.ridley@twtelecom.com](mailto:Carolyn.ridley@twtelecom.com)

Douglas C. Nelson  
Sprint Nextel  
233 Peachtree Street, N. E.  
Suite 2200  
Atlanta, GA 30303  
Email: [douglas.c.nelson@sprint.com](mailto:douglas.c.nelson@sprint.com)

s/ Vicki Gordon Kaufman  
Vicki Gordon Kaufman