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June 6, 2003

Ms. Blanca Bayo', Director Division of Commission Clerk and Administrative Services 2540 Shumard Oak Blvd. Tallahassee. FL 32399-0850

RE: Docket No. 030469-TP; Sprint's Notice of Withdrawal

COMMISSION

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Dear Ms. Bayo':

Enclosed please find the original and 15 copies of Sprint's Notice of Withdrawal of its Petition for Arbitration in this docket. Copies are being served on the parties in this docket, pursuant to the attached Certificate of Service.

Please acknowledge receipt of this filing by stamping and initialing a copy of this letter and returning same to the courier. If you have any questions, please do not hesitate to call me at 850/599-1560.

Sincerely,

Susan S. Masterton

Enclosures

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CMP COM CTR ECR GCL OPC MMS SEC OTH RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT AT MPER-DATE

05073 JUN-68

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition of Sprint – Florida, Incorporated	)	Docket No. 030469-TP
for arbitration of an Interconnection	).	
Agreement with XO Florida, Inc.	)	Filed: June 6, 2003
pursuant to Section 252 of the	)	
Telecommunications Act of 1996.	)	

### NOTICE OF WITHDRAWAL OF SPRINT'S PETITION FOR ARBITRATION

Pursuant to the agreement of the parties to resolve the duplicate filing of arbitration petitions, Sprint-Florida, Incorporated ("Sprint") hereby files this Notice that it withdraws its Petition for Arbitration filed with the Commission on May 29, 2003. The parties have agreed that the arbitration will proceed in Docket No. 030467-TP. (See attached letter from XO to Sprint filed in Docket No. 030467-TP on this same date.)

Respectfully submitted this  $6^{th}$  day of June 2003.

Susan S. Masterton

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ATTORNEY FOR SPRINT

DOCUMENT NUMBER -DATE

05073 JUN-68

FPSS-CONSISSION CLERK

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**XO** Communications

1924 Decre Avenue Santa Ana, CA 92705 USA

June 6, 2003

### VIA FACSIMILE AND E-MAIL

John W. Clayton
Director, Wholesale Services
Sprint
Local Telecommunications Division
6480 Sprint Parkway
Overland Park, KS 66251

Re: FPSC Docket Nos. 030467-TP/0304069 - TP

Sprint and XO Petitions for Arbitration in Florida

Dear Mr. Clayton:

This letter confirms the representations that XO made to Sprint during the June 5, 2003 conference call with XO, Sprint, and Florida Commission Staff ("June 5 Conference Call"). XO fully intends to pursue resolution by the Florida Public Service Commission of all unresolved issues between XO and Sprint arising out of the parties' negotiations to establish a new interconnection agreement for the State of Florida. XO will not withdraw the Petition for Arbitration (FPSC Docket No. 030467-TP) that XO has filed with the Commission, in whole or in part, without Sprint's concurrence but will amend that petition without substantive changes no later than June 13, 2003 as discussed during the June 5 Conference Call.

Further, as discussed during the call Sprint will today withdraw its petition filed on May 29, 2003 (FPSC Docket No. 030469 -TP) based on XO's commitments set forth in this letter.

Please contact me if you have any questions about this matter or if further discussions are necessary.

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## CERTIFICATE OF SERVICE DOCKET NO. 030469-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by fax and U.S. Mail this  $6^{th}$  day of June, 2003 to the following:

Larry D. Harris, Esq. Florida Public Service Commission Division of Legal Services 2540 Shumard Oak Blvd Tallahassee, FL 32399-0850

Dana Shaffer, VP Regional Regulatory Counsel XO Florida, Inc. 105 Molloy Street, Suite 200 Nashville, TN 37201-2315

Vicki Gordon Kaufman McWhirter Reeves McGlothlin Davison Kaufman & Arnold, P.A. 117 South Gadsden Street Tallahassee, Florida 32301

Karen M. Potkul XO Communications 1924 Deere Avenue Santa Ana, CA 92705

Susan S. Masterton