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Ruth Nettles

From:	Fuller, Megan [mfuller@foley.com]
Sent:	Tuesday, July 21, 2009 9:23 AM
To:	Filings@psc.state.fl.us
Subject:	Swiftel LLC - Docket No.: 070348-TX
Attachments:	Swiftel_Notice of Withdrawal.PDF

Attached please find Swiftel LLC's Notice of Withdrawal (2 pages) in the above referenced docket. Please contact me with any questions or concerns you may have. Thank you.

Megan Fuller

Foley & Lardner LLP 106 E. College Ave. Suite 900 Tallahassee, FL 32301 Phone: 850-222-6100 ex. 3391 Fax: 850-561-6475

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DOCUMENT NUMBER-DATE 07365 JUL 21 8 FPSC-COMMISSION CLEEK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Swiftel LLC for) Designation as Eligible) Telecommunications Carrier (ETC) and) Request for Expedited Resolution) Docket No. 070348-TX

SWIFTEL LLC'S NOTICE OF WITHDRAWAL OF ITS AMENDED PETITION FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

Swiftel LLC ("Swiftel"), by and through their undersigned attorneys, hereby files its

Notice of Withdrawal of its Amended Petition for Designation as an Eligible

Telecommunications Carrier and states as follows:

1. Swiftel's Amended Petition for designation as an eligible telecommunications

carrier has been pending since November 19, 2008.

- 2. The Commission has not yet taken action on the Petition.
- 3. Swiftel has decided to withdraw its Petition and does not seek leave to file a

second amended petition. At this time Swiftel has no plans to re-file a petition for ETC designation in the State of Florida.

WHEREFORE, Swiftel respectfully requests that (1) its Amended Petition for Designation as an Eligible Telecommunication Carrier be withdrawn and (2) this docket be closed administratively pursuant to Section 2.07 of the Commission's Administrative Procedures Manual.

Respectfully submitted,

SWIFTEL LLC

By: <u>s/ James A. McKee</u> Christopher M. Kise Robert H. Hosay James A. McKee Foley & Lardner, LLP 106 East College Ave., Suite 900 Tallahassee, FL 32301 (850) 222-6100 ckise@foley.com rhosay@foley.com jmckee@foley.com

Attorneys for Swiftel LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via

Electronic Mail to the persons listed below this 21st day of July, 2009:

Agency Clerk Florida Public Service Commission, Division of Regulatory Compliance 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

By: <u>/s/ James A. McKee</u> James A. McKee