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October 16, 2003

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

**FILED**

**OCT 16 2003**

**Missouri Public  
Service Commission**

Re: Case No. XO-2004-0157

Dear Judge Roberts:

Please find enclosed for filing in the referenced matter the original and five copies of a Notice of Voluntary Dismissal.

Would you please bring this filing to the attention of the appropriate Commission personnel.

Thank you for your attention to this matter.

Sincerely,

NEWMAN, COMLEY & RUTH, P.C.

By:

  
Mark W. Comley  
comleym@ncrpc.com

MWC:ab  
Enclosure

cc: Office of Public Counsel  
General Counsel  
Larry W. Dority  
Brad E. Mutschelknaus  
Riley M. Murphy

**BEFORE THE  
PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI**

**FILED**

OCT 16 2003

In the Matter of the )  
 )  
Petition by KMC Telecom V, Inc., )  
KMC Telecom III LLC and KMC Data, L.L.C., )  
For Arbitration of an Interconnection )  
Agreement with CenturyTel, Inc. and )  
CenturyTel of Missouri, LLC, Pursuant )  
to Section 252(b) of the Communications )  
Act of 1934, as Amended. )

Missouri Public  
Service Commission

Case No. XO-2004-0157

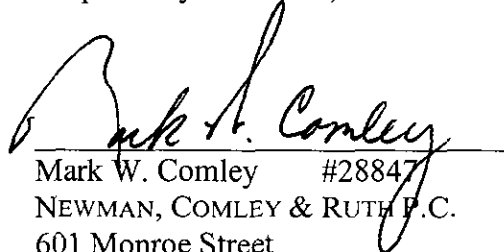
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**NOTICE OF VOLUNTARY DISMISSAL**

Comes now KMC Telecom V, Inc., KMC Telecom III L.L.C and KMC Data, L.L.C.  
Petitioners in the captioned case, and pursuant to 4 CSR 240-2.116(1) hereby voluntarily dismiss  
their petition for arbitration, without prejudice.

Respectfully submitted,

By:

  
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Attorneys for KMC Telecom V, Inc. KMC Telecom  
III L.L.C. and KMC Data, L.L.C.

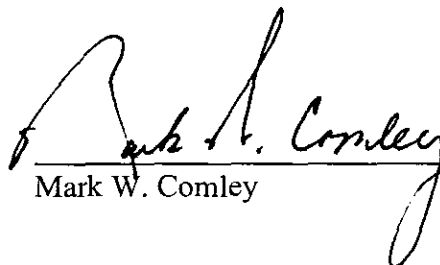
## CERTIFICATE OF SERVICE

I, Mark W. Comley, do hereby certify that I have, on this 16<sup>th</sup> day of October, 2003, caused to be served upon the following individuals, by hand delivery and via e-mail, a copy of the foregoing:

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