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MAR 09 2007

PUBLIC SERVICE
COMMISSION

March 9, 2007

via Hand Delivery

Hon. Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Blvd.
P. O. Box 615
Frankfort, KY 40601

Re: In the Matter of: Wispnet, LLC v. Xspedius Communications
before the Public Service Commission of the Commonwealth of Kentucky,
Case No. 2006-00413

Dear Ms. O'Donnell:

I have enclosed for filing in the above-styled case the original and ten (10) copies of a Joint Motion to Dismiss.

Thank you, and if you have any questions, please call me.

Very truly yours,

DINSMORE & SHOHL LLP



Holly C. Wallace

HCW/rk
Enclosures
cc: James C. Falvey, Esq. (w/enclosure)

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BEFORE THE
KENTUCKY PUBLIC SERVICE COMMISSION

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MAR 09 2007

PUBLIC SERVICE
COMMISSION

In the Matter of:

WISPNET, LLC

v.

XSPEDIUS COMMUNICATIONS, LLC


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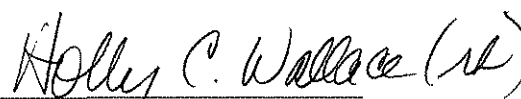
Case No. 2006-00413

JOINT MOTION TO DISMISS

Xspedius Communications, LLC (“Xspedius”) and Wispnet, LLC (“Wispnet”), by counsel, hereby jointly move the Public Service Commission of the Commonwealth of Kentucky (the “Commission”) to dismiss with prejudice Case No. 2006-00413. In support of their motion, the parties state they have reached a settlement which resolves all issues in this matter. Therefore, dismissal is appropriate with respect to all claims and counterclaims pending before the Commission.

Respectfully submitted,


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**Counsel to Xspedius Communication,
LLC**