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January 10, 2006

Ms. Elizabeth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602

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PUBLIC SERVICE
COMMISSION

Re: Case No. 2005-00095 -- Dialog Telecommunications, Inc. v. BellSouth

Dear Ms. O'Donnell:

The purpose of this letter is to advise the Commission that Dialog and BellSouth have reached an agreement on the issues which make up Count I of the referenced complaint. Accordingly, Dialog hereby withdraws Count I of the complaint as settled.

Counts II and III remain before the Commission and Dialog asks the Commission to promptly grant its long-pending motion for summary judgment as to Count II.

If you have questions, please do not hesitate to contact me.

Very truly yours,

STOLL KEENON OGDEN PLLC

Douglas F. Brent

Cc: Jim Bellina
Mary Keyer, Esq.