STATE OF SOUTH CAROLINA

(Caption of Case)

Application of PRTCommunications, LLC for Designation as an Eligible Telecommunications Carrier

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2008 - 300 - C

(Please type or print)

Submitted by: Margaret M. Fox, Esquire

Address: McNair Law Firm, P. A.
P. O. Box 11390
Columbia, SC 29211

SC Bar Number: 65418
Telephone: 803-799-9800
Fax: 803-753-3219
Other:
Email: pfox@mcnair.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition**

☐ **Request for item to be placed on Commission's Agenda expeditiously**

☐ **Other:**

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
☐ Electric	☐ Affidavit	☒ Letter	☐ Request
☐ Electric/Gas	☐ Agreement	☐ Memorandum	☐ Request for Certification
☐ Electric/Telecommunications	☐ Answer	☐ Motion	☐ Request for Investigation
☐ Electric/Water	☐ Appellate Review	☐ Objection	☐ Resale Agreement
☐ Electric/Water/Telecom.	☐ Application	☐ Petition	☐ Resale Amendment
☐ Electric/Water/Sewer	☐ Brief	☐ Petition for Reconsideration	☐ Reservation Letter
☐ Gas	☐ Certificate	☐ Petition for Rulemaking	☐ Response
☐ Railroad	☐ Comments	☐ Petition for Rule to Show Cause	☐ Response to Discovery
☐ Sewer	☐ Complaint	☐ Petition to Intervene	☐ Return to Petition
☒ Telecommunications	☐ Consent Order	☐ Petition to Intervene Out of Time	☐ Stipulation
☐ Transportation	☐ Discovery	☐ Prefiled Testimony	☐ Subpoena
☐ Water	☐ Exhibit	☐ Promotion	☐ Tariff
☐ Water/Sewer	☐ Expedited Consideration	☐ Proposed Order	☐ Other:
☐ Administrative Matter	☐ Interconnection Agreement	☐ Protest	
☐ Other:	☐ Interconnection Amendment	☐ Publisher's Affidavit	
	☐ Late-Filed Exhibit	☐ Report	

Print Form Reset Form

MCNAIR
ATTORNEYS

April 26, 2010

Margaret M. Fox

pfox@mcnair.net
T (803) 799-9800
F (803) 753-3219

Ms. Jocelyn Boyd
Interim Chief Clerk/Administrator
South Carolina Public Service Commission
Synergy Business Park, The Saluda Building
101 Executive Center Drive
Columbia, South Carolina 29210

Re: Application of PRTCommunications, LLC for Designation as an Eligible Telecommunications Carrier
Docket No. 2008-300-C

Dear Ms. Boyd:

I am writing on behalf of PRTCommunications, LLC ("PRTComm") to request that PRTComm be permitted to withdraw its application in this docket without prejudice, and that the hearing in this matter, which is currently scheduled for July 8, 2010, be cancelled.

PRTComm has previously requested two continuances in this proceeding. Those continuances were requested, and granted, because of the continuing uncertainty regarding the federal high-cost service funding amounts for which competitive ETCs are eligible in South Carolina following the issuance of an interim cap order by the Federal Communications Commission ("FCC").

It continues to be unclear exactly what the impact of PRTComm's application would be on PRTComm and other competitive ETCs in South Carolina. The amount of federal high-cost support for which PRTComm would be eligible as a competitive ETC operating in South Carolina is a critical piece of information that PRTComm needs in order to proceed with its application. For this reason, and rather than requesting another continuance in this matter, PRTComm believes it is in the interest of administrative economy and efficiency to withdraw its application without prejudice, reserving the right to re-file the application at such time in the future as the impact of the application can be accurately assessed.

McNair Law Firm, P. A.
The Tower at 1301 Gervais
1301 Gervais Street, 11th Floor
Columbia, SC 29201

Mailing Address
Post Office Box 11390
Columbia, SC 29211

mcnair.net

S.C. Code Ann. § 58-3-225(E) provides as follows:

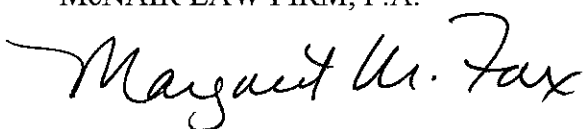
> A party may withdraw its petition, application, complaint, counterclaim, cross claim, or third party claim from any commission docket one time as a matter of right, and without prejudice, provided that it does so prior to the later of the date that responsive pleadings are filed or the date that the withdrawing party's direct testimony addressing such petition, application, complaint, counterclaim, cross claim, or third party claim is due to be filed with the commission. A party may thereafter withdraw its petition, application, complaint, counterclaim, cross claim, or third party claim from any commission docket only upon order of the commission and upon such terms and conditions as the commission considers proper.

PRTComm filed its direct testimony in this proceeding on November 5, 2008. Therefore, it is within the Commission's discretion to permit PRTComm to withdraw its application upon such terms and conditions as the Commission considers proper. For the reasons stated above, PRTComm respectfully submits that it is in the interest of the parties and the Commission to allow PRTComm to withdraw its application without prejudice. We have contacted counsel for the Office of Regulatory Staff, the only other party to this proceeding, and ORS does not have an objection to PRTComm's request. Furthermore, there will be no prejudice to other parties as a result of granting this request, because PRTComm is the only party that filed testimony in this proceeding. Granting the request would allow for an efficient use of the parties' and the Commission's time and resources.

If you have any questions or there is anything further we can provide, please let me know. Thank you for your assistance.

Very truly yours,

McNAIR LAW FIRM, P.A.



Margaret M. Fox

MMF:rwm

cc: Parties of Record
Randal Odom, PRTCommunications, LLC

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2008-300-C

IN RE:

Application of PRTCommunications, LLC for Designation as an Eligible Telecommunications Carrier	)	**CERTIFICATE OF SERVICE**

This is to certify that I, Rebecca W. Martin, an employee with the McNair Law Firm, P. A., have this date served one (1) copy of the letter requesting a withdrawal of application in the above-referenced matter to the persons named below by causing said copy to be deposited with the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below.

C. Lessie Hammonds, Esquire
Nanette S. Edwards, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211

Rebecca W. Martin

Rebecca W. Martin
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800

April 26, 2010

Columbia, South Carolina