

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

Southwestern Bell Telephone)	
Company d/b/a AT&T Missouri,)	
)	
Complainant,)	
)	
vs.)	Case No. TC-2010-0107
)	
KMC Data, L.L.C.; KMC Telecom III, LLC;)	
Level 3 Communications LLC; Matrix)	
Telecom, Inc.)	
)	
Respondents.)	

NOTICE OF DISMISSAL OF COMPLAINT AS TO
KMC DATA, LLC

COMES NOW AT&T Missouri,¹ and pursuant to the provisions of 4 CSR 240-2.116(1),² hereby dismisses its Complaint insofar as it is directed to KMC Data, LLC, which since the filing of the Complaint executed an intervening law amendment that was submitted to the Commission on November 30, 2009 (VT-2010-0014) in accordance with Section 252(e) of the federal Telecommunications Act of 1996³ and 4 CSR 240-3.513(6)(A).

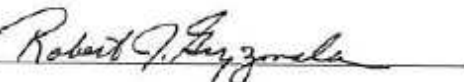
¹ Southwestern Bell Telephone Company d/b/a AT&T Missouri ("AT&T Missouri").

² This rule provides, in pertinent part, that "[a]n applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered, by filing a notice of dismissal with the commission and serving a copy on all parties."

³ 47 U.S.C. § 252(e).

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE
COMPANY, D/B/A AT&T MISSOURI

BY 

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were served upon each of the following by e-mail on November 30, 2009.


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