

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

The Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	<u>Case No. TC-2008-0346</u>
)	
Winstar Communications, L.L.C.)	
)	
Respondent.)	

**OFFICE OF THE PUBLIC COUNSEL’S VOLUNTARY DISMISSAL
COUNT III (PRAYER C) AND COUNT IV (PRAYER D)**

The Office of Public Counsel, with notice of the Staff’s Suggestion of Bankruptcy of Winstar Communications, LLC, voluntarily dismisses Count III (Prayer Relief C) and Count IV (Prayer Relief D) without prejudice. Public Counsel agrees with Staff regarding the effect of Winstar’s bankruptcy filing on these counts seeking monetary judgment.

Wherefore, Public Counsel voluntarily dismisses Counts III and IV of the complaint without prejudice.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL
/s/ **Michael F. Dandino**

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed, emailed and/or hand delivered this 20^h day of May 2008 to the following attorneys of record:

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