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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

JEFF HATCH-MILLER

Chairman

WILLIAM A. MUNDELL

Commissioner

MARC SPITZER

Commissioner

MIKE GLEASON

Commissioner

KRISTIN K. MAYES

Commissioner

AZ CORP COMMISSION
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IN THE MATTER OF THE FORMAL)	DOCKET NO. T-03471A-05-0064
COMPLAINT OF ACCIPITER)	
COMMUNICATIONS, INC. AGAINST)	
VISTANCIA COMMUNICATIONS,)	
L.L.C., SHEA SUNBELT PLEASANT)	
POINT, L.L.C., AND COX ARIZONA)	
TELCOM, LLC)	

NOTICE OF WITHDRAWAL WITH PREJUDICE

Complainant Accipiter Communications, Inc., by and through undersigned counsel, hereby submits this Notice of Withdrawal with Prejudice from the above-captioned proceeding. Per a Settlement Agreement between the Parties (not including

ACC Staff), Accipiter Communications, Inc., has fully released with prejudice all its claims set forth against the named Respondents in this docket.

RESPECTFULLY SUBMITTED this 8th day of NOVEMBER, 2005.

MORRILL & ARONSON, P.L.C.

By William D. Cleaveland

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ORIGINAL and 13 copies of the foregoing filed this 8th day of November, 2005 with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

COPY of the foregoing hand-delivered this 8th day of November, 2005 to:

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COPY of the foregoing mailed
this 8th day of November, 2005 to:

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