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March 22, 2010

Via Electronic FilingJames J. McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street, 2nd Floor
P.O. Box 3265
Harrisburg, PA 17105-3265RE: Buffalo – Lake Erie Wireless Systems Co., LLC v. Verizon
Pennsylvania, Inc. and Verizon North Inc.;
Docket Nos. C-2010-2158408 and C-2010-2158409

Dear Secretary McNulty:

Enclosed for filing is the original Petition of Buffalo – Lake Erie Wireless Systems Co., LLC For Leave to Withdraw its Petition for Interim Emergency Order along with the electronic filing confirmation with regard to the above-referenced matter. The parties of record have been served in the manner indicated on the attached Certificate of Service. If you have any questions regarding this filing, please contact me at your convenience.

Sincerely,



Deanne M. O'Dell

DMO/lww
Enclosurecc: Chairman James Cawley (w/enc)
Vice Chairman Tyrone Christy (w/enc)
Commissioner Robert Powelson (w/enc)
Commissioner Wayne Gardner (w/enc)
Hon. Susan Colwell (w/enc)
Cheryl Walker Davis (w/enc)
Certificate of Service (w/enc)

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of Buffalo – Lake Erie Wireless Systems’
Petition for Leave to Withdraw its Petition for Interim Emergency Order upon the persons listed
below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and First Class Mail

Office of Consumer Advocate
Forum Place, 5th Floor
555 Walnut St.
Harrisburg, PA 17101

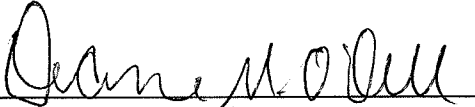
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Office of Trial Staff
400 North Street, 2nd Fl West
Harrisburg, PA 17105

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Date: March 22, 2010


Deanne M. O'Dell, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Buffalo – Lake Erie Wireless Systems Co.,	:	
LLC	:	
Complainant	:	
	:	
v.	:	
	:	
Verizon Pennsylvania Inc.	:	Docket No. C-2010-2158408
	:	
and	:	
	:	
Verizon North Inc.	:	Docket No. C-2010-2158409
Respondents	:	

**PETITION OF BUFFALO – LAKE ERIE WIRELESS SYSTEMS CO., LLC FOR
LEAVE TO WITHDRAW ITS PETITION FOR INTERIM EMERGENCY ORDER**

Pursuant to 52 Pa. Code § 5.94(a), Buffalo – Lake Erie Wireless Systems Co, LLC (“BLEW”) submits this Petition for Leave to Withdraw its Petition for Interim Emergency Order in the above-captioned matter. In support of this Petition, BLEW states as follows:

1. On February 16, 2010, BLEW filed a complaint against Verizon Pennsylvania, Inc. and Verizon North, Inc. (collectively “Verizon”). In its complaint, BLEW asks the Commission to resolve billing issues between the parties. More specifically, the complaint seeks an order directing Verizon to pay for BLEW’s termination of Verizon’s calls since March 2008. BLEW also seeks retroactive and prospective rerating of the transit charges assessed by Verizon. Finally, BLEW seeks compensation from Verizon for a reasonable portion of the costs incurred by BLEW to transport Verizon’s traffic to BLEW’s switch.

2. Verizon filed an Answer and New Matter as well as Preliminary Objections to BLEW's complaint on March 10, 2010. BLEW's responses are pending. BLEW is not seeking a withdrawal of the complaint in this Petition.

3. Simultaneous with its complaint, BLEW filed a Petition for Interim Emergency Order pursuant to 52 Pa. Code § 3.6 which asked the Commission to issue an order precluding Verizon from disconnecting services to BLEW pending resolution of BLEW's complaint.

4. In accordance with the Commission's procedures regarding requests for emergency relief, a hearing was held regarding BLEW's Petition on February 24, 2010. Administrative Law Judge ("ALJ") Susan D. Colwell issued her Order Denying Petition for Interim Emergency Order on March 2, 2010.

5. At the same time, ALJ Colwell issued her Order Certifying Question to the Commission pursuant to 52 Pa. Code § 3.10(b).

6. After the emergency hearing, the parties engaged in settlement discussions focused on addressing Verizon's stated intentions to disconnect service even while BLEW's complaint was pending. Because of this, the parties requested a stay of the briefing schedule until March 22, 2010 and a decision from the Commission on the certified question has not been issued.

7. The parties have successfully reached agreement regarding the issues contained in BLEW's Petition for Interim Emergency Order. As a result of this settlement, Verizon has agreed that it will not disconnect service to BLEW pending resolution of the complaint and provided BLEW complies with the terms set forth in the agreement. This

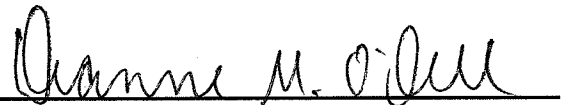
agreement allows BLEW to continue to provide service to its end-user customers and, because Verizon agrees to not to disconnect service pursuant to the conditions in the settlement, the emergency situation presented by BLEW's Petition and addressed by ALJ Colwell's Order and Certified Question is no longer present.

8. Verizon does not oppose this request to withdraw.

9. Therefore, BLEW respectfully requests that the Commission grant this petition to withdraw its Petition for Interim Emergency Order. Upon doing so, the pending Certified Question need not be addressed by the Commission.

WHEREFORE, Buffalo – Lake Erie Wireless Co., LLC respectfully requests that the Commission grant this petition to withdraw its Petition for Interim Emergency Order. Upon doing so, the pending Certified Question will not need to be addressed by the Commission.

Respectfully submitted,



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Counsel for Buffalo – Lake Erie Wireless
Co., LLC

Dated: March 22, 2010