

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

In re:)	
)	
DeltaCom, Inc.)	
)	
Complainant,)	
)	
- v. -)	Docket No. 09-00077
)	
KMC Data, LLC, Hypercube, LLC,)	
And Hypercube Telecom, LLC,)	
)	
Respondents.)	

**JOINT MOTION TO DISSOLVE LIMITED STAY OF PROCEEDINGS
AND SCHEDULE A RESPONSIVE PLEADING DATE**

DeltaCom, Inc. ("DeltaCom") and Hypercube, LLC, Hypercube Telecom, LLC (f/k/a KMC Data, LLC) (collectively "Hypercube") (DeltaCom and Hypercube are hereinafter collectively, the "Parties") hereby move the Tennessee Regulatory Authority ("TRA") to lift the limited stay of the proceedings in this case. As grounds for this motion, the Parties state the following:

1. On June 5, 2009 DeltaCom filed the above-referenced Complaint with the TRA, naming Hypercube, LLC; Hypercube Telecom, LLC and KMC Data, LLC (collectively "Hypercube") as Respondents in an intrastate access charge dispute and seeking an order from the TRA. Thereafter, the Parties entered into discussions to resolve the dispute.

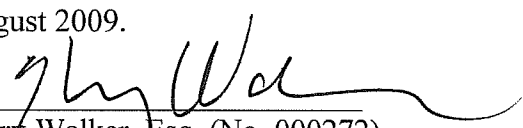
2. On June 25, 2009, DeltaCom, with support from Hypercube, filed a Motion for Limited Stay of this proceeding so that DeltaCom and Hypercube could undertake additional good faith negotiations in an effort to resolve the issues presented in DeltaCom's Complaint without the need for litigation.

3. DeltaCom and Hypercube conducted additional negotiations, but such negotiations did not result in a resolution of the dispute between the Parties.

4. The Parties have conferred and agree that Hypercube should file a response to DeltaCom's Complaint in this proceeding on or before August 19, 2009.

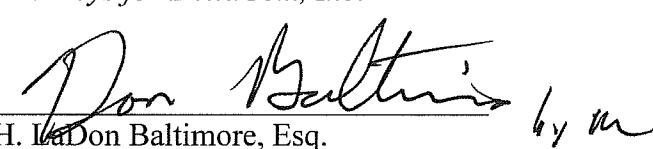
WHEREFORE, DeltaCom and Hypercube respectfully request that this Motion be granted.

Respectfully submitted this 16th day of August 2009.


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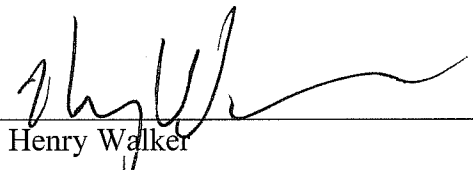
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and exact copy of the within and foregoing JOINT MOTION TO DISSOLVE LIMITED STAY OF PROCEEDINGS AND SCHEDULE A RESPONSIVE PLEADING DATE has been forwarded via first class U.S. Mail, hand delivery, overnight delivery, or electronic transmission to the following:

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