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October 22, 2010

**VIA FEDERAL EXPRESS**

Ms. Sharla Dillon  
Docket Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

**RE: Docket 10-00153, Birch Telecom of the South, Inc.**

Dear Ms. Dillon:

On July 27, 2010, Birch Telecom of the South, Inc. and Birch Communications, Inc. (collectively, "Birch") submitted an application requesting approval to enter into certain financing transactions with BIA Digital Partners SBIC II LP ("BIA"). The Tennessee Regulatory Authority ("Authority") approved the application at its August 23 agenda meeting and issued an Order granting Birch's application for approval on October 7, 2010.

Birch hereby notifies the Authority that the financing transaction with BIA was never consummated. Birch therefore respectfully requests that the Authority rescind or cancel the October 7 Order.

Please date stamp the extra copy of this notice, and return it in the enclosed envelope. If you have any questions concerning this matter, please contact the undersigned.

Respectfully submitted,

  
Angela F. Collins

Counsel for Birch Telecom of the South,  
Inc. and Birch Communications, Inc.