

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

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))
FIBER TECHNOLOGIES NETWORKS, LLC,))
f/k/a FIBER SYSTEMS, LLC))
))
v.))
))
VERIZON NEW ENGLAND, f/k/a))
NEW ENGLAND TELEPHONE AND) Docket No. 03-56
TELEGRAPH COMPANY))
))
And))
))
NORTHEAST UTILITIES SERVICE COMPANY,))
d/b/a WESTERN MASSACHUSETTS))
ELECTRIC COMPANY))
))
And))
))
MASSACHUSETTS ELECTRIC COMPANY))
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_____)

**STIPULATION OF DISMISSAL WITH PREJUDICE OF AMENDED COMPLAINT
AND PETITION FOR DECLARATORY RELIEF**

The complainant in the above proceeding, Fiber Technologies Networks, LLC, f/k/a Fiber Systems, LLC, and the respondents, Verizon New England Inc., Western Massachusetts Electric Company and Massachusetts Electric Company, being all of the parties to such proceeding, hereby stipulate that all claims and counterclaims asserted in such proceeding are hereby dismissed with prejudice, each party to bear its own costs and fees. All parties waive notice and all rights of appeal.

FIBER TECHNOLOGIES
NETWORKS, LLC.

By its attorneys,

/s/Charles Stockdale
Charles B. Stockdale
Robert T. Witthauer
140 Allens Creek Road
Rochester, NY 14618
(585) 697-5100

WESTERN MASSACHUSETTS
ELECTRIC COMPANY

By its attorneys,

/s/Stephen Gibelli
Stephen Gibelli
107 Selden Street
Berlin, CT 06037
(860) 665-5513

Dated: July 7, 2004

VERIZON NEW ENGLAND INC.

By its attorneys

/s/Alexander Moore
Bruce P. Beausejour
Alexander W. Moore
185 Franklin Street, 13th Floor
Boston, MA 02110-1585
(617) 743-2445

MASSACHUSETTS ELECTRIC
COMPANY

By its attorneys

/s/Amy Rabinowitz
Amy Rabinowitz
25 Research Drive
Westborough, MA 01582