

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
January 10, 2003
THOMAS K. KAHN
CLERK

No. 00-12809

BELLSOUTH TELECOMMUNICATIONS, INC.,

Plaintiff-Counter-Defendant-
Appellant-Cross-Appellee,

UNITED STATES OF AMERICA,

Intervenor-Appellant,

versus

MCIMETRO ACCESS TRANSMISSION
SERVICES, INC.

Defendant-Counter-Claimant-Appellee,

GEORGIA PUBLIC SERVICE COMMISSION,
ROBERT B. BAKER, JR., in his
official capacity as Chairman,
ET AL.,

Defendants-Appellees-Cross-Appellants.

No. 00-12810

BELLSOUTH TELECOMMUNICATIONS, INC.,

Plaintiff-Counter-Defendant
-Appellant-Cross-Appellee,

UNITED STATES OF AMERICA,

Intervenor-Appellant,

versus

WORLDCOM TECHNOLOGIES, INC., a
successor in interest to MFS
INTELENET OF GEORGIA, INC.,

Defendant-Counter-Claimant-Appellee,

E. SPIRE COMMUNICATIONS, INC.,
formerly known as American
Communications Services, Inc.,
NEXTLINK GEORGIA, INC.,
TELEPORT COMMUNICATIONS
ATLANTA, INC.,

Defendants-Appellees,

GEORGIA PUBLIC SERVICE COMMISSION,
ROBERT B. BAKER, JR., in his
official capacity as Chairman,
ET AL.,

Defendants-Appellees-Cross-Appellants,

Appeals from the United States District Court for the
Northern District of Georgia

Before EDMONDSON, Chief Judge, TJOFLAT, ANDERSON, BIRCH, BLACK,
CARNES, BARKETT, MARCUS and WILSON, Circuit Judges.*

BY THE COURT:

Appellees MCImetro Access Transmission Services and WorldCom
Technologies, Inc.'s motion for clarification of this Court's November 15, 2002,

* Judges Dubina and Hull did not participate.

Order, which is construed as a motion to dismiss No. 00-12810, including the United States of America's appeal and the cross-appeal of the Georgia Public Service Commission, et al., as moot, is GRANTED. This order does not affect No. 00-12809.