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November 1, 2011

Jeffrey DeRouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40601

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NOV 2 2011

PUBLIC SERVICE
COMMISSION

RE: Case No. 2010-00023 and Related Cases

Dear Mr. DeRouen:

Enclosed please find the original and ten copies of a Joint Status Report. This report was finalized October 28 to be filed on October 31, and due to error by the undersigned, it was not mailed.

Please indicate receipt of this filing by placing your file stamp on the extra copy and returning to me via the enclosed, self addressed, postage paid envelope.

Sincerely yours,

Douglas F. Brent

cc: Mary K. Keyer, Esq.

DFB: jms
Enclosures

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:)
)
BELLSOUTH TELECOMMUNICATIONS, INC.)
d/b/a AT&T SOUTHEAST)
d/b/a AT&T KENTUCKY)
Complainant)
v.) Case No.: 2010-00023
)
BLC MANAGEMENT LLC d/b/a ANGLES)
COMMUNICATIONS SOLUTIONS)
Defendant)

BELLSOUTH TELECOMMUNICATIONS, INC.)
d/b/a AT&T SOUTHEAST)
d/b/a AT&T KENTUCKY)
Complainant)
v.) Case No.: 2010-00026
)
LIFECONNEX TELECOM, LLC)
f/k/a SWIFTEL LLC)
Defendant)

BELLSOUTH TELECOMMUNICATIONS, INC.)
d/b/a AT&T SOUTHEAST)
d/b/a AT&T KENTUCKY)
Complainant)
v.) Case No.: 2010-00029
)
DPI TELECONNECT, LLC)
Defendant)

JOINT STATUS REPORT

BellSouth Telecommunications, Inc., d/b/a AT&T Southeast, d/b/a AT&T Kentucky (“AT&T Kentucky”), and BLC Management LLC d/b/a Angles Communications Solutions (“Angles”), LifeConnex Telecom, LLC f/k/a Swiftel LLC (“LifeConnex”), and dPi Teleconnect,

LLC (“dPi”) file this joint status report in accordance with the Order entered by the Kentucky Public Service Commission (“Commission”) on April 19, 2011.

By Order dated July 14, 2010, the Commission granted the Parties’ motion to hold the above-captioned matters in abeyance pending the resolution of similar cases pending in other states (*i.e.*, Alabama, Louisiana, North Carolina and South Carolina), and required the Parties to submit a progress report by November 1, 2010, which the Parties did. By Order dated December 14, 2010, the Commission continued to hold these cases in abeyance and required that the Parties submit a joint status report on or before March 1, 2011, which the Parties did. By Order dated April 19, 2011, the Commission continued to hold these cases in abeyance and required that the Parties submit a joint status report no later than August 1, 2011, and every 90 days thereafter.

Since the Parties’ status report filed on August 1, 2011, the current status of the proceedings in each of the similar cases pending in other states is as follows:

Alabama. An administrative law judge presided over an evidentiary hearing on January 21, 2011, and the parties have submitted initial and reply post-hearing briefs. The matter is ripe for a decision on the merits by the Alabama Commission.

Louisiana. An administrative law judge (ALJ) presided over an evidentiary hearing on November 4-5, 2010, and on August 18, 2011 the judge issued a final recommendation adopting AT&T’s position on each of the three issues in the proceeding. Following oral argument by the parties and Commission Staff before the full Commission, on September 28, 2011, the Louisiana Commission issued an Order remanding this matter to the ALJ “for further consideration of the calculation methodology to be applied to cash back promotions.” The matter is currently pending before the ALJ on remand.

North Carolina. On September 22, 2011, the North Carolina Commission entered an order adopting AT&T's position on each of the three issues in the proceeding. On or about October 20, 2011, dPi Teleconnect, LLC, Image Access, Inc. d/b/a NewPhone, Affordable Phone Services, Inc. and BLC Management, LLC d/b/a Angles Communications Solutions filed a Complaint and Request for Declaratory and Injunctive Relief in the United States District Court for the Eastern District of North Carolina, Case No. 5:11-cv-576-FL.

South Carolina. The South Carolina Commission presided over an evidentiary hearing on December 15, 2010, and the parties have submitted post-hearing briefs and proposed orders. The South Carolina Office of Regulatory Staff subsequently submitted a recommendation to the Commission. The Commission heard oral argument on August 24, 2011, and the matter is ripe for a decision on the merits by the South Carolina Commission.

Given these developments, the Parties believe it appropriate for the Commission to continue to hold these cases in abeyance pending the resolution of these similar cases in other states involving the same parties.

Respectfully submitted,



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