



Mary K. Keyer  
General Attorney  
Kentucky Legal Department

AT&T Kentucky  
601 W. Chestnut Street  
Room 407  
Louisville, KY 40203

T 502-582-8219  
F 502-582-1573  
[mary.keyer@att.com](mailto:mary.keyer@att.com)

RECEIVED

November 8, 2012

NOV 09 2012

PUBLIC SERVICE  
COMMISSION

**VIA OVERNIGHT MAIL**

Mr. Jeff Derouen  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
P. O. Box 615  
Frankfort, KY 40602

Re: Nexus Communications, Inc., Complainant v. BellSouth  
Telecommunications, Inc., d/b/a AT&T Kentucky, Defendant  
PSC 2010-00444

Dear Mr. Derouen:

Enclosed for filing in the above-referenced case are the original and ten (10) copies of Renewed Joint Motion to Abate.

Please let me know if you have any questions.

Sincerely,

Mary K. Keyer

Enclosures

cc: Douglas F. Brent and Christopher Malish, Counsel for Nexus Communications, Inc.

1049993

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

NEXUS COMMUNICATIONS, INC.	)	
	)	
COMPLAINANT,	)	
	)	
v.	)	CASE NO.
	)	2010-00444
	)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	)	
D/B/A AT&T KENTUCKY	)	
	)	
DEFENDANT.	)	

**RENEWED JOINT MOTION TO ABATE**

Pursuant to an agreement between the parties and their joint status report filed in this case on November 14, 2011, and the Commission's Order entered on September 10, 2012, Nexus Communications, Inc. and BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky file this renewed joint motion to abate the proceedings regarding the instant matter before the Commission pending a Commission order on the merits in Case Nos. 2010-00023<sup>1</sup> and 2010-00026<sup>2</sup> currently pending before the Commission.

On October 1, 2012, AT&T Kentucky filed in the *Angles Case* its Motion for Order Finding Angles Liable for Unpaid Charges, Dismissing Counterclaims and Closing Docket," and on the same day filed a similar motion in the *Lifeconnex Case*. By Commission Order dated October 26, 2012, Angles and Lifeconnex have until

---

<sup>1</sup> *BellSouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T Kentucky v. BLC Management LLC d/b/a Angles Communications Solutions*, filed Jan. 21, 2010 ("Angles Case")

<sup>2</sup> *BellSouth Telecommunications, Inc. d/b/a AT&T Southeast d/b/a AT&T Kentucky v. Lifeconnex Telecom, LLC f/k/a Swiffel, LLC*, filed Jan. 22, 2010 ("Lifeconnex Case")

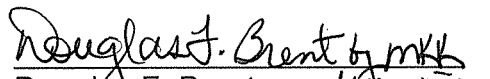
November 9, 2012, to file their responses to AT&T Kentucky's motions. If no responses or no timely motions for extension of time within which to file responses are filed by Angles and Lifeconnex, the cases will be submitted to the Commission for decision on the record.

In addition, the parties are engaged in high-level and broad-range settlement negotiations regarding disagreements across all states in which both parties conduct business. Most recently, on October 5, 2012, Nexus submitted a comprehensive settlement offer and voluminous supporting documentation to AT&T, and AT&T responded with a counteroffer on October 22, 2012. Nexus and AT&T have had and will continue to have additional settlement discussions in November.

AT&T Kentucky retains the right to move the Commission to lift the abeyance if Nexus does not pay on a timely basis all amounts billed by AT&T Kentucky without withholding amounts it disputes. During the abatement period, the parties also agree to continue settlement discussions in an effort to resolve the dispute without further intervention of the Commission.

WHEREFORE, the parties move the Commission to issue an order placing this case in abeyance pending further notice from the parties that the case should resume before the Commission or that the matter has been resolved.

Respectfully submitted:

  
Douglas F. Brent *with permission*  
Stoll Keenon Ogden PLLC  
2000 PNC Plaza  
500 W. Jefferson Street  
Louisville, Kentucky 40202  
(502) 333-6000

Christopher Malish  
Malish & Cowan PLLC  
1403 West Sixth Street  
Austin, Texas 78703  
(512) 476-8591  
(512) 477-8657 - facsimile  
cmalish@malishcowan.com

COUNSEL FOR NEXUS  
COMMUNICATIONS, INC.

  
Mary K. Keyer  
AT&T Kentucky Legal Department  
601 W. Chestnut Street, Room 407  
Louisville, Kentucky  
(502) 582-8219  
(502) 582-1573 – facsimile  
mary.keyer@att.com

COUNSEL FOR BELL SOUTH  
TELECOMMUNICATIONS, INC.  
d/b/a AT&T KENTUCKY