

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PETITION OF LEVEL 3 COMMUNICATIONS,)	
LLC FOR ARBITRATION WITH BELL SOUTH)	
TELECOMMUNICATIONS, INC. PURSUANT TO)	CASE NO.
SECTION 252(b) OF THE COMMUNICATIONS)	2000-404
ACT OF 1934, AS AMENDED BY THE)	
TELECOMMUNICATIONS ACT OF 1996)	

O R D E R

Level 3 Communications, LLC (“Level 3”) has petitioned for arbitration seeking resolution of certain issues between itself and BellSouth Telecommunications, Inc. (“BellSouth”). On October 20, 2000, the Commission established a procedural schedule. It indicated that a decision must be made in this case by no later than November 28, 2000, unless the parties agree that their negotiations began at a point later than indicated in Level 3’s petition.

Level 3 and BellSouth filed a joint motion extending the time by which the Commission must determine the issues to be arbitrated in this proceeding. The parties have agreed that negotiations began on April 30, 2000, thus extending the date whereby a decision must be reached until January 31, 2001. The parties have also requested that the Commission alter its procedural schedule.

The Commission, being sufficiently advised, HEREBY ORDERS that:

1. The joint motion of the parties is hereby granted.
2. A formal hearing in this matter is rescheduled for January 4, 2001, at 9:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission’s offices at 211 Sower Boulevard, Frankfort, Kentucky.

3. Relevant cost studies, including workpapers, and any other documents and information necessary to resolve outstanding issues shall be filed by December 5, 2000.

4. Prefiled testimony shall be filed by December 21, 2000 and hearing testimony is limited to cross-examination or redirect examination and rebuttal testimony.

5. Any party filing testimony shall file an original and 6 copies. The original and at least 3 copies of the testimony shall be filed as follows:

a. Together with cover letter listing each person presenting testimony.

b. Bound in 3-ring binders or with any other fastener which readily opens and closes to facilitate easy copying.

c. Each witness's testimony should be tabbed.

d. Every exhibit to each witness's testimony should be appropriately marked.

6. Any agreed-upon portions of the parties' contract that have not already been filed shall be filed by December 21, 2000.

7. Each party shall submit, in contract form, its best and final offer on each disputed issue no later than December 21, 2000.

8. An informal conference is scheduled to be conducted on December 12, 2000 at 1:30 p.m., Eastern Standard Time, in Conference Room 1 of the Commission's offices at the address listed above.

Done at Frankfort, Kentucky, this 2nd day of November, 2000.

By the Commission

ATTEST:


Executive Director