

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. ) CASE NO. 2000-404  
PURSUANT TO SECTION 252(b) OF )  
THE COMMUNICATIONS ACT OF 1934, )  
AS AMENDED BY THE )  
TELECOMMUNICATIONS ACT OF 1996 )

O R D E R

On March 14, 2001, the Commission entered a final Order in this proceeding addressing the four issues which remained in dispute between Level 3 Communications, LLC ("Level 3") and BellSouth Telecommunications, Inc. ("BellSouth"). On April 3, 2001, BellSouth filed a motion seeking reconsideration of the Commission's Order. Thereafter, BellSouth submitted for approval an agreement the parties negotiated subsequent to the Commission's decision in this proceeding.

On May 3, 2001, BellSouth and Level 3 submitted to the Commission their negotiated agreement for interconnection of their networks, the unbundling of specific network elements, and the resale of BellSouth's services. The agreement was negotiated pursuant to the Telecommunications Act of 1996 ("1996 Act"), 47 U.S.C. Sections 251 and 252. Section 252(e) of the 1996 Act requires the parties to an interconnection agreement adopted by negotiation to submit the agreement for approval to the Commission.

The Commission has reviewed the agreement and finds that no portion of the agreement discriminates against a telecommunications carrier not a party to the agreement. The Commission also finds that the implementation of this agreement is consistent with the public interest, convenience, and necessity.

Level 3 must comply with all relevant Commission mandates for serving in this Commonwealth.

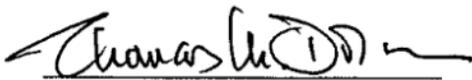
The Commission, having been otherwise sufficiently advised, HEREBY ORDERS that:

1. The negotiated agreement between BellSouth and Level 3 is approved.
2. Level 3 shall file a tariff for local service prior to providing local service giving 30 days' notice to the Commission and shall comply with all Commission regulations and orders as directed.
3. Within 10 days of the date of this Order, BellSouth shall file with the Commission a true and complete copy of the agreement approved herein in Microsoft® Word 97 format on 3.5-inch high-density diskette.

Done at Frankfort, Kentucky, this 30<sup>th</sup> day of May, 2001.

By the Commission

ATTEST:



Executive Director