

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF BELLSOUTH TELECOMMUNICATIONS,)	
INC. SEEKING RESOLUTION OF THIRD PARTY)	CASE NO.
TRANSIT TRAFFIC ISSUES)	2003-00045

O R D E R

On April 22, 2003, BellSouth Telecommunications, Inc. (BellSouth) and the Independent Telephone Group¹ (ITG) filed a joint motion to stay these proceedings during the pendency of settlement negotiations. BellSouth and the ITG requested the stay because they believe that a settlement is possible in this proceeding. The duration of the stay is not to exceed 90 days. Thus, by July 21, 2003, BellSouth and the ITG agree to present their settlement agreement to the Commission for its approval and for comment by intervenors in this case. If no settlement is reached, then BellSouth and the ITG agree to advise the Commission.

In support of their motion, BellSouth and the ITG indicate that the termination of third party traffic is unique in Kentucky because it is based upon the Kentucky Restructured Settlement Plan approved by the Commission on June 23, 1991 in

¹ The Kentucky Rural Local Exchange Carriers are a group of small and rural local exchange carriers providing service throughout Kentucky. The group includes Ballard Rural Telephone Cooperative; Brandenburg Telephone Company; Coalfields Telephone Company; Duo County Telephone Cooperative; Foothills Rural Telephone Cooperative; Highland Telephone Cooperative; Logan Telephone Cooperative; Mountain Telephone Cooperative; North Central Telephone Cooperative; Peoples Rural Telephone Cooperative; South Central Rural Telephone Cooperative; Thacker-Grigsby Telephone Company; and West Kentucky Rural Telephone Cooperative.

Administrative Case No. 323.² That plan is a Commission approved contract between BellSouth and the ITG. As such, BellSouth and the ITG may move to stay these proceedings though there are intervenors with tangential interests.

The Commission, having considered the joint motion and being otherwise sufficiently advised, HEREBY ORDERS that:

1. The joint motion to stay the proceedings during the pendency of settlement negotiations is granted without prejudice to any motions pending before the Commission in this proceeding.

2. The March 19, 2003 Order scheduling a hearing and other procedural matters is vacated.

Done at Frankfort, Kentucky, this 23rd day of April, 2003.

By the Commission

ATTEST:


Executive Director

² Administrative Case No. 323, An Inquiry Into IntraLATA Toll Competition, An Appropriate Compensation Scheme For Completion of IntraLATA Calls By Interexchange Carriers, and WATS Jurisdictionality.