

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF SOUTHEAST TELEPHONE, INC.	)	
FOR ABRITRATION OF CERTAIN TERMS AND	)	
CONDITIONS OF THE PROPOSED AGREEMENT	)	CASE NO.
WITH KENTUCKY ALLTEL, INC., PURSUANT TO	)	2003-00115
THE COMMUNICATIONS ACT OF 1934, AS AMENDED	)	
BY THE TELECOMMUNICATIONS ACT OF 1996	)	

O R D E R

SouthEast Telephone, Inc. ( SouthEast Telephone ) petitioned for arbitration seeking resolution of certain issues between itself and Kentucky ALLTEL, Inc. ( ALLTEL ). The Commission must make a decision in this case by no later than July 18, 2003. SouthEast Telephone seeks arbitration of 53 issues.

The Telecom Act of 1996 imposes strict deadlines upon this proceeding. Brevity, as well as clarity of expression and position, is of the essence. It is imperative that the Commission receive appropriate information in a timely manner. Accordingly, the following guidelines and procedural schedule shall apply to this proceeding. The purpose of this proceeding is to explore specific arbitration issues.

Reduction of the proposed agreement to writing is the responsibility of the parties. Each party may submit its proposed version of the contract terms in its best and final offer, which shall be submitted no later than May 12, 2003. The Commission encourages the parties to continue their negotiations during the pendency of this proceeding and to narrow the range of issues to be arbitrated to the extent possible.

Although the Commission is not, pursuant to KRS 278.310, bound by the technical rules of legal evidence, the parties hereto are hereby put on notice that cumulative, repetitive, and irrelevant evidence will not be heard in the formal hearing in this matter. Unless special leave is granted, opening and closing statements will not be permitted. In addition, unless special leave is granted, all direct testimony shall be prefiled. All testimony at the formal hearing shall be offered pursuant to cross-examination or redirect examination, provided, however, that in light of the time constraint, rebuttal testimony will be permitted.

The Commission, being sufficiently advised, HEREBY ORDERS that:

1. A formal hearing in this matter is scheduled for June 10, 2003, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.
2. Relevant cost studies, including workpapers, and any other documents and information necessary to resolve outstanding issues shall be filed by May 12, 2003.
3. Prefiled testimony shall be filed by June 3, 2003 and hearing testimony is limited to cross-examination or redirect examination and rebuttal testimony.
4. Any party filing testimony shall file an original and 5 copies.
5. Any agreed-upon portions of the parties' contract that have not already been filed shall be filed by May 12, 2003.
6. Each party shall submit, in contract form, its best and final offer on each disputed issue no later than May 12, 2003.

7. An informal conference is scheduled to be conducted on May 21, 2003 at 10:00 a.m., Eastern Standard Time, in Conference Room 2 of the Commission's offices at the address listed above.

Done at Frankfort, Kentucky, this 22<sup>nd</sup> day of April, 2003.

By the Commission

ATTEST:

  
Executive Director