

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REVIEW OF FEDERAL COMMUNICATIONS)	
COMMISSION'S TRIENNIAL REVIEW ORDER)	CASE NO.
REGARDING UNBUNDLING REQUIREMENTS)	2003-00379
FOR INDIVIDUAL NETWORK ELEMENTS)	

O R D E R

On October 2, 2003, the Commission established an initial procedural schedule in this proceeding regarding the Federal Communications Commission's (FCC) delegation of authority to this Commission to address unbundling obligations with regard to individual network elements. By this Order, the Commission establishes a more detailed procedural schedule.

To date, the following have notified the Commission of their intent to participate as parties to this proceeding: BellSouth Telecommunications, Inc.; Kentucky ALLTEL, Inc.; Cincinnati Bell Telephone Company; SouthEast Telephone, Inc.; Competitive Carriers of the South, Inc.; AT&T Communications of the South Central States, Inc.; US LEC of Tennessee, Inc.; Dieca Communications, Inc. d/b/a Covad Communications Company; MCIMetro Access Transmission Services, LLC and MCI WorldCom Communications, Inc.; and the Attorney General of the Commonwealth of Kentucky. The Commission will continue to require service of all filings on the Kentucky Cable Telecommunications Association.

The Commission serves this Order on interexchange carriers because of the trunking issues which are relevant to this proceeding. Accordingly, persons served with this Order who wish to become parties and who have not already done so shall send written notice of intervention to the Commission within 10 days of the date of this Order. This case will be processed on an electronic basis. Directions for electronic filings are attached hereto and incorporated herein as Appendix A.

IT IS THEREFORE ORDERED that:

1. Responses to the initial data requests to incumbent local exchange carriers which were to have been filed by October 31, 2003 are now due by no later than November 10, 2003.

2. Initial data requests to parties who are not incumbent local exchange carriers and the second data request to incumbent local exchange carriers shall be filed by November 24, 2003, with responses due by December 15, 2003.

3. An informal conference is scheduled for December 3, 2003, beginning at 9:00 a.m., Eastern Standard Time, in the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. The purpose of this informal conference is to allow persons to present models and other information relevant to this proceeding.

4. The third data request to incumbent local exchange carriers and the second data request to non-incumbent local exchange carriers shall be filed by January 6, 2004, with responses due January 27, 2004.

5. Prefiled direct testimony of all parties shall be due no later than February 11, 2004.

6. Prefiled rebuttal testimony by all parties shall be due no later than March 25, 2004.

7. Prefiled surrebuttal testimony by all parties shall be due no later than April 13, 2004.

8. A public hearing in this matter is scheduled for April 26, 2004, beginning at 9:00 a.m., Eastern Daylight Time, in the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. A written transcript of this hearing shall be filed.

9. Parties shall comply with the requirements for electronic filings as contained in Appendix A.

Done at Frankfort, Kentucky, this 4th day of November, 2003.

By the Commission

ATTEST:

Wm. H. I. Barker

Deputy Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2003-00379 DATED November 4, 2003

The Commission finds that the use of electronic procedures will assist in a thorough and efficient review of the application and should be instituted for this proceeding, but that procedures should also exist to accommodate full participation by any persons who are entitled to intervene but who object to electronic participation.

1. a. When filing any pleading or other document in this proceeding, the applicant and any other party participating in this case through electronic means shall, except as otherwise required by the Commission, file an original and four copies in paper medium and one copy in electronic medium.

b. When the applicant or any other party participating in this case through electronic means is unable to file a document electronically (e.g., materials that are too large or bulky to transfer to electronic medium), it shall contact the office of the Executive Director of the Commission for guidance.

2. Testimony filed by the applicant or any other party participating in this case through electronic means shall be filed with a cover letter listing each person presenting testimony.

3. The electronic copy of any pleading or document shall be filed by uploading the files comprising that copy via the Commission's Electronic Filing Web Portal available on the Commission's home page at <http://psc.ky.gov>.

4. All electronic filings shall be made in the following manner:

a. All documents and exhibits, including spreadsheets, shall be submitted in portable document format (PDF) and be capable of viewing with Adobe Acrobat Reader®. PDF documents should be searchable and optimized for Web viewing.

b. Documents requiring spreadsheet functionality must be submitted in Microsoft® Excel format; however, spreadsheets must be self-contained and not contain linked references to or macro commands involving external files.

c. All documents shall follow the naming conventions as described herein.

d. The filing shall include an introductory document in PDF format that is named Read1st and that contains a general description of the filing, a list of all materials not included in the electronic filing and a statement attesting that the electronically filed documents are a true representation of the original documents. The Read1st.pdf document and any other document that normally contains a signature shall include a signature in electronic format.

e. If the electronic filing does not include all documents contained in the paper version (e.g., materials that are too large or bulky to transfer to electronic medium), then the absence of these materials shall be noted in the Read1st document.

f. The electronic version of each document will be book-marked where appropriate to distinguish sections of the document.

g. Parties should refer to the Commission's Web site at <http://psc.ky.gov> for detailed instructions on conducting electronic document submission.

5. Upon receipt of each electronic filing, an automated confirmation e-mail will be returned to the filer and all parties on the service list who have provided a valid e-mail address.

6. Within 10 days of the date of this Order, all persons participating in this proceeding shall notify the Commission and all other parties of record in writing of the e-mail address to which all electronic notices and messages related to this proceeding should be served. In the alternative, a person shall, in writing, notify the Commission and all other parties to the proceedings of any objection to participating in this case through electronic means, and shall inform all parties of the mailing address to which paper copies of pleadings shall be sent.

7. When filing any document with the Commission, the parties participating in this case through electronic means shall certify that:

a. The electronic version of the filing is a true and accurate copy of the document(s) filed in paper medium.

b. The electronic version of the filing has been transmitted to the Commission.

c. The party has sent, in paper medium, a copy of its filing to any intervenor that has objected to participation in this proceeding by electronic means.

8. The Commission's Executive Director shall make all electronic filings available from the Commission's Web site at <http://psc.ky.gov>.

9. A document shall be considered timely filed with the Commission if it has been successfully transmitted in electronic medium to the Commission within the time allowed for filing. The original document and 4 copies, in paper medium, shall be filed at the Commission's offices on the next business day following the electronic filing.

10. Pursuant to KRS 278.380, each party hereto shall file, within 10 days of the date of this Order, a statement as to whether it, or its agent, is capable of receiving electronic transmissions, and whether it waives any right to service of parties' filings and of Commission Orders by United States mail.

FILE NAMING CONVENTIONS

General

Each document shall reflect the name of the sponsoring party, the type of filing, the date of filing, and the document format as shown below:

PartyName_DocType_Date of Filing.Format

Party Name

AGKY Attorney General of Kentucky

OCWD -- Ohio County Water District

PSC Public Service Commission

Document Type

APP Application

APX Appendix

B Brief

DR Data Request

DT Direct Testimony

EX Exhibit

INDEX - Index

M Motion

MM - Memorandum

N Notice of Filing

R Response

RB Reply Brief

READ1ST Cover/Transmittal Letter

RM Response/Reply to Motion

RT Rebuttal Testimony

SCH Schedule

UR Updated Response (amended or supplemental responses to data requests)

1. Application

a. If the application is composed of several files, each representing a different exhibit or schedule, then the document type indicator should indicate the schedule or exhibit s number or letter. An underscore (_) should separate the schedule or exhibit from the application symbol.

Example: The document type indicator for Exhibit A of the Application is: APP_EXA.

Example: The document type indicator for Schedule 1 of Exhibit A of the Application is: APP_EXA_SCH1.

b. Although testimony may be considered as an exhibit to an application, files comprising a witness s testimony for file naming purposes should not

be listed as part of the application. The file naming conventions for testimony, which are listed immediately below, should be used.

2. Testimony

- a. The document type indicator should show the initials of the witness.

An underscore (_) should separate the testimony symbol from the initials.

Example: The document type indicator for the direct testimony of witness Franklin Delano Roosevelt is: DT_FDR.

Example: The document type indicator for the rebuttal testimony of witness Ulysses S. Grant is RT_USG.

- b. If a witness's testimony is comprised of several files that reflect schedules, exhibits or appendices to his or her testimony, then the document type indicator should indicate the schedule or exhibit's number or letter. An underscore (_) should separate the schedule or exhibit from the testimony symbol and the witness's initials.

Example: The document type indicator for Exhibit A of the direct testimony of witness James A. Garfield is DT_JAG_EXA.

Example: The document type indicator for Schedule 4 of Exhibit A of the direct testimony of witness Chester B. Arthur is DT_CBA_EXA_SCH4.

- c. If a witness's testimony or an exhibit or schedule thereto is subsequently amended or revised, the document type indicator should reflect the revisions with the addition of the Update symbol (U) in front of the testimony symbol.

Example: The document type indicator for the amended direct testimony of witness William McKinley is UDT_WK.

Example: The document type indicator for the amended Exhibit A to the rebuttal testimony of witness William McKinley is URT_WAK_EXA.

3. Data Requests and Responses

a. If the document is a data request (DR), the document type indicator should indicate the number of the request.

Example: The Commission's first data request to Kentucky-American Water Company is: DR1.

b. If the document is a response (R) to a data request, the document type should indicate the pleading (and the party) to which a response is being made. An underscore (_) should separate the R from the indicator for the data request.

Example: The document type indicator for Kentucky-American Water Company's Response to the Commission's First Data Request to Kentucky-American Water Company is: R_PSCDR1

c. If a party's response to a data request comprises several files, then the document type indicator should indicate the item number of the request to which response is made. A pound sign (#) should separate the item number from the data request symbol.

Example: The document type indicator for Kentucky-American Water Company's Response to Item 23 of the Commission's First

Data Request to Kentucky-American Water Company is:
R_PSCDR1#23.

d. If a party's response to an individual item of a data request is also comprised of several files, then the document type indicator should indicate the schedule and the item of the request to which response is made. A pound sign (#) should separate the item number from the data request symbol and an underscore (_) should separate the item number from the schedule number or letter.

Example: The document type indicator for Schedule 2 of Kentucky-American Water Company's Response to Item 7(a) of the Commission's First Data Request to Kentucky-American Water Company is: R_PSCDR1#7a_SCH2.

e. If a party's response to a data request or an exhibit or schedule thereto is subsequently amended or revised, the document type indicator should reflect the revisions with the addition of the Update symbol (U) in front of the response symbol.

Example: The document type indicator for an updated or amended version of Schedule 2 of Kentucky-American Water Company's Response to Item 7(a) of the Commission's First Data Request to Kentucky-American Water Company is: UR_PSCDR1#7a_SCH2.

4. Motions

If a party files more than one motion with the Commission on the same day, it should, for file-naming purposes only, number each motion.

Example: On the same day, Kentucky-American Water Company files its Motion to Strike Testimony and its Motion to Postpone Hearing. The document type indicator for the Motion to Strike is M1. The document type indicator for the Motion to Postpone is M2.

5. Responses to Motions

a. If the document is a response to a motion (RM), the document type indicator should indicate the party that made the motion. An underscore (_) should separate the RM from the indicator for the moving party.

Example: The document type indicator for the Attorney General's Response to Kentucky-American Water Company's Motion to Strike is: RM_KAW.

b. If the document is a reply to a party's response to a motion, the document type indicator should indicate the party that made the response. An underscore (_) should separate the RM from the indicator for the moving party.

Example: The document type indicator for Kentucky-American Water Company's Reply to the Attorney General's Response to Kentucky-American Water Company's Motion to Strike is: R_RM_AGKY.

6. Read1st

This document contains the transmittal or cover letter that accompanies the paper medium filing.

7. Index

This document contains the name of each electronic file with a brief description of the file's contents.

Date

Parties should indicate the date of filing as a 6-digit number (Month/Day/Year). The date of filing is the date of transfer to the designated FTP Site.

Example: If the Attorney General filed testimony with the Commission on May 2, 2000, the date of filing is: 050200.

Format

.pdf Portable Document Format (Adobe Acrobat)

.xls Microsoft Excel 97 Spreadsheet

General Examples:

1. On May 19, 2000, Kentucky-American Water Company files its first data request to the Attorney General. The electronic version should be named: KAW_DR1_051900.pdf.

2. On November 22, 2000, the Attorney General files his response to Kentucky-American Water Company's second data request. This request is composed of several files. The file that represents Schedule A (an Excel spreadsheet) of the response to Item 18(b) is named: AGKY_R_KAWDR2#18b_SCHA_112200.xls

3. On December 1, 2000, Lexington-Fayette County Urban Government files a response to Kentucky-American Water Company's Motion to Strike. The file is named: LFC_RM_KAW_120100.pdf.

4. On June 1, 2000, Kentucky-American Water Company files its response to the Commission's third data request. The index to its electronic filing is named: KAW_Index_060100.pdf. The cover letter to its paper medium filing is named: KAW_Read1st_060100.pdf. The file that represents Schedule 3 (an Excel spreadsheet) of Kentucky-American Water Company's Response to Item 12(b)(2) is named: KAW_R_PSCDR3#12b2_SCH3_060100.xls.