

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION CONCERNING THE	)	
PROPRIETY OF PROVISION OF INTERLATA	)	CASE NO.
SERVICES BY BELL SOUTH	)	2001-00105
TELECOMMUNICATIONS, INC., PURSUANT	)	
TO THE TELECOMMUNICATIONS ACT OF	)	
1996	)	

O R D E R

BellSouth Telecommunications, Inc. ("BellSouth") has petitioned this Commission for reconsideration of certain matters contained in the May 11, 2004 Order. The Commission determined that BellSouth should comply with the Georgia Performance Plan including future modifications made by the Georgia Commission. BellSouth was also ordered to file a tariff containing current Georgia Performance Plan provisions and to revise that tariff to reflect any future modifications adopted by the Georgia Commission. In support of its motion, BellSouth asserts that it is unable to comply with the Commission's Order requiring that the Georgia Performance Plan modifications be implemented for Kentucky until August 1, 2004, because of the necessary conversion work. Moreover, Bellsouth states that it is finalizing a Kentucky-specific performance plan, which it anticipates will be filed in the very near future.

BellSouth does not, pursuant to KRS 278.400, offer any additional evidence not previously considered by this Commission. Accordingly, the Commission finds that the Georgia Performance Plan, including future modifications made by the Georgia

Commission, is adopted for use in Kentucky. However, based on BellSouth's assertion that it cannot implement the Commission's Order until August 1, 2004, the Commission will delay the implementation of the Georgia Performance Plan until that date.

As noted in the May 11, 2004 Order, the Commission will consider a Kentucky-specific plan proposed by BellSouth. A review of such a plan by this Commission will probably take many months. For reasons contained in the May 11, 2004 Order, the Commission finds that the Georgia Performance Plan should be implemented in Kentucky during the pendency of this review.


IT IS THEREFORE ORDERED that:

1. The motion for reconsideration filed by BellSouth is denied, except for an extension of time granted to implement the Order.
2. By August 1, 2004, BellSouth shall file a tariff containing the same revisions as the then-current Georgia Performance Plan.
3. BellSouth shall file a tariff reflecting any future modifications adopted by the Georgia Commission within 10 days of adoption in Georgia, beginning August 1, 2004.
4. The May 11, 2004 Order remains in full force and effect except for the extension of time required to implement it.
5. Nothing contained herein precludes BellSouth from submitting a proposal for a Kentucky-specific performance plan and associated penalties as described in the May 11, 2004 Order.

Done at Frankfort, Kentucky, this 14<sup>th</sup> day of June, 2004.

By the Commission

ATTEST:



DEPUTY Executive Director

Case No. 2001-00105