

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE DEVELOPMENT OF)	
DEAVERAGED RATES FOR UNBUNDLED)	ADMINISTRATIVE
NETWORK ELEMENTS)	CASE NO. 382

O R D E R

Kentucky ALLTEL, Inc. (“Kentucky ALLTEL”) and NuVox Communications, Inc. (“NuVox”) have been actively discussing stipulations of facts and settlement of issues pending in this proceeding. The Attorney General did not object to these discussions. On February 18, 2005, the Commission ordered these parties to file a report regarding their negotiations. On March 14, 2005, Kentucky ALLTEL filed a letter on behalf of itself and NuVox indicating that the parties “continue to believe a negotiated resolution is possible.” They also asked that the Commission “allow the parties further time to negotiate.”

The Commission continues to encourage the parties to negotiate a suitable outcome to this case. Six weeks’ time has elapsed since the parties indicated that they were actively negotiating a settlement of this proceeding.

The Commission, on its own motion, finds that this matter should be removed from its active docket without prejudice to Kentucky ALLTEL, NuVox, or any other party to this proceeding petitioning at a later date for the Commission to establish appropriate unbundled network elements for Kentucky ALLTEL. In the future, the Commission may, on its own motion, institute such an inquiry. By July 29, 2005, Kentucky ALLTEL and

NuVox shall notify the Commission of the status of their negotiations. If they reach a settlement, it shall be filed with the Commission for review.

BE IT SO ORDERED.

Done at Frankfort, Kentucky, this 28th day of April, 2005.

By the Commission

Commissioner W. Gregory Coker did not participate in the deliberations or decision concerning this case.

ATTEST:



Executive Director