

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT PETITION FOR ARBITRATION OF)	
NEWSOUTH COMMUNICATIONS CORP.,)	
NUVOX COMMUNICATIONS, INC., KMC)	
TELECOM V, INC., KMC TELECOM III LLC,)	
AND XSPEDIUS COMMUNICATIONS, LLC ON)	CASE NO.
BEHALF OF ITS OPERATING SUBSIDIARIES)	2004-00044
XSPEDIUS MANAGEMENT CO. SWITCHED)	
SERVICES, LLC, XSPEDIUS MANAGEMENT)	
CO. OF LEXINGTON, LLC, AND XSPEDIUS)	
MANAGEMENT CO. OF LOUISVILLE, LLC)	

O R D E R

On July 16, 2004, NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, Xspedius Communications, LLC on behalf of Xspedius Management Co. and Switched Services, LLC, and BellSouth Telecommunications, Inc. filed a joint motion to hold this proceeding in abeyance for a period of 90 days. The parties have now asked that a public hearing be scheduled.

The Commission having considered the request and having been otherwise sufficiently advised, HEREBY ORDERS that:

1. A formal hearing in this matter is scheduled for May 17, 2005, beginning at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. A court reporter shall transcribe the evidence.
2. By no later than May 3, 2005, parties may submit supplemental testimony, if any.

3. By no later than May 10, 2005, parties may submit reply supplemental testimony, if any.

4. Hearing testimony shall be limited to cross-examination and direct examination.

5. Opening and closing statements shall not be permitted.

Done at Frankfort, Kentucky, this 30th day of March, 2005.

By the Commission

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

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and flourishes, positioned above a horizontal line.

Executive Director