

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST OF THE COMPETITIVE CARRIERS)	
OF THE SOUTH, INC. FOR AN EMERGENCY)	
DECLARATORY RULING WHICH DECLARES)	CASE NO.
THAT THE OBLIGATIONS OF PARTIES TO)	2004-00204
INTERCONNECTION AGREEMENTS FILED)	
WILL REMAIN IN EFFECT UNLESS AND UNTIL)	
THOSE INTERCONNECTION AGREEMENTS)	
ARE AMENDED)	

O R D E R

On May 27, 2004, the Competitive Carriers of the South, Inc. (“CompSouth”), an organization composed of numerous competing local exchange carriers (“CLEC”) providing service in Kentucky, filed a petition requesting a declaration that the obligations of parties to interconnection agreements filed with this Commission remain in effect unless and until those agreements are amended and the amendments are approved pursuant to 47 U.S.C. § 252. CompSouth asked that its petition be considered expeditiously.

On June 8, 2004, BellSouth Telecommunications, Inc. (“BellSouth”) filed a response. Therein, BellSouth stated that it “has assured CLECs it will not ‘unilaterally disconnect services being provided to any CLEC under the CLEC’s Interconnection Agreement.’ Consequently, there will be no ‘chaos’ as CompSouth alleges. BellSouth

will effectuate changes to its interconnection agreements via established legal procedures.”¹

On June 10, 2004, the Commission held an informal conference in this matter. At that time, the parties represented that they had reached a general understanding that a need for emergency declaration by this Commission no longer existed. BellSouth had agreed to maintain the status quo of its existing interconnection agreements. Further, the parties agreed that the case should be held in abeyance pending any need for the Commission to address issues. Shortly after the informal conference, BellSouth and CompSouth filed letters containing their understanding of the arrangement to hold this case in abeyance. The Commission has received no filings in this matter since June 2004. On information and belief, it appears that this particular petition may be moot because of subsequent action by the Federal Communications Commission. Moreover, matters pertaining to carrier obligations are pending in Case No. 2004-00427.²

IT IS HEREBY ORDERED that the parties shall have 10 days from the date of this Order to petition the Commission for this matter to remain on the active docket. If no such filing is received by that date, this matter shall be dismissed without further Order of the Commission.

¹ BellSouth’s June 8, 2004 Response to Petition of CompSouth for Emergency Declaratory Ruling at 1.

² Case No. 2004-00427, Petition of BellSouth Telecommunications, Inc. to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting From Changes of Law.

Done at Frankfort, Kentucky, this 15th day of March, 2005.

By the Commission

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

ATTEST:



Executive Director