

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADOPTION OF INTERCONNECTION)	
AGREEMENT BETWEEN BELL SOUTH)	CASE NO.
TELECOMMUNICATIONS, INC. AND CINERGY)	2004-00369
COMMUNICATIONS COMPANY BY DIALOG)	
TELECOMMUNICATIONS, INC.)	

O R D E R

Pursuant to the Commission's March 3, 2006 Order, both parties have submitted status reports. Dialog Telecommunications, Inc. ("Dialog") indicates in its letter that unresolved issues are now docketed in Case No. 2006-00099.¹ Dialog also indicates that the Commission's decision in Case No. 2004-00427² may reduce the issues to be arbitrated. Dialog asks that this matter remain on the Commission's docket pending the outcome of these other proceedings.

BellSouth Telecommunications, Inc. believes, on the other hand, that this matter should be dismissed because the parties have entered into a new interconnection agreement. Also, unresolved issues are being arbitrated in Case No. 2006-00099, and other issues remain subject to the pending case, 2004-00427.

¹ Case No. 2006-00099, Petition of Dialog Telecommunications For Arbitration of Certain Terms and Conditions of Proposed Agreement With BellSouth Telecommunications, Inc. Concerning Interconnection Under the Telecommunications Act of 1996.

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.

Having considered these status reports, it appears to the Commission that no issues unique to this instant proceeding remain to be resolved by the Commission. All unresolved issues appear to be pending in other proceedings. Accordingly, the Commission finds it reasonable to dismiss this proceeding.

IT IS THEREFORE ORDERED that this proceeding is dismissed without prejudice and is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 4th day of May, 2006.

By the Commission

ATTEST:

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

Executive Director