

~~Executive Director~~

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

COPY

In the Matter of:

BRANDENBURG TELECOM LLC)
Complainant)

v.)

Case No. 2006- 00339

GLOBAL CROSSING)
TELECOMMUNICATIONS, INC.)
Defendant)

RECEIVED

JUL 7 2006

FORMAL COMPLAINT

PUBLIC SERVICE
COMMISSION

Brandenburg Telecom LLC ("Brandenburg Telecom"), by counsel, for its formal complaint against Global Crossing Telecommunications, Inc. ("Global Crossing"), pursuant to KRS 278.030, hereby states as follows.

1. The full name and address of Brandenburg Telecom is Brandenburg Telecom LLC, 200 Telco Drive, P.O. Box 599, Brandenburg, Kentucky 40108. Brandenburg Telecom is a local exchange carrier authorized to provide telecommunications services in the Commonwealth of Kentucky. Brandenburg Telecom is a Kentucky corporation.

2. The full name and address of Global Crossing is Global Crossing Telecommunications, Inc., 1120 Pittsford-Victor Rd., Pittsford, New York 14534. Global Crossing is a long distance provider authorized to provide telecommunications services in the Commonwealth of Kentucky. Global Crossing is a foreign corporation.

3. The facts supporting this complaint are set forth more fully below; but briefly, this complaint concerns Global Crossing's refusal to pay Brandenburg Telecom for charges incurred with respect to access services provided to Global Crossing by Brandenburg Telecom.

APPLICABLE LAW

4. Pursuant to KRS 278.040, the Public Service Commission of the Commonwealth of Kentucky ("Commission") has jurisdiction "over the regulation of rates and service of utilities" within the Commonwealth.

5. Pursuant to KRS 278.260, the Commission is vested with the express authority to investigate and remedy "complaints as to rates or service of any utility."

6. Pursuant to KRS 278.030(1), "[e]very utility may demand, collect and receive fair, just and reasonable rates for the services rendered or to be rendered by it to any person." Subsection (2) of KRS 278.030 allow a utility to "employ in the conduct of its business suitable and reasonable classifications of its service, patrons and rates."

STATEMENT OF THE FACTS

7. Brandenburg Telecom provides access services to Global Crossing.

8. Brandenburg Telecom regularly invoices Global Crossing for the access services in accordance with applicable law and its applicable tariff(s).

9. During the past several months, Global Crossing has slipped back into its pre-bankruptcy nonpayment practices.

10. Rather than bear the risk of yet another Global Crossing bankruptcy (and the attendant losses), Brandenburg Telecom seeks a Commission order requiring Global Crossing to: (i) immediately satisfy its past-due balances with Brandenburg Telecom; and (ii) pay all future Brandenburg Telecom invoices in a timely manner, or suffer immediate termination of services.

11. As of the present date, Global Crossing has refused to pay the following past-due Brandenburg Telecom access service invoices.

- May 2006 invoice: \$3,531.69

12. No portion of this delinquent Global Crossing debt is subject to a pending dispute or any other defense of non-payment.

13. In addition to this debt, Global Crossing owes Brandenburg Telecom the additional sum of \$3,757.12, which represents the total access services and dedicated trunking charges incurred during the month of May (as indicated on the June 16, 2006 invoice).

14. Thus, Global Crossing's nonpayment tactics have forced Brandenburg Telecom to underwrite its bad debt, thereby endangering the viability and quality of services Brandenburg Telecom (as a facilities-based competitive local exchange carrier) provides to its Kentucky end-user subscribers.

15. Consequently, Global Crossing's tactics not only deprive Brandenburg Telecom of its rightful compensation for services rendered, they endanger service quality and service availability to Kentucky residents.

WHEREFORE, Brandenburg Telecom respectfully requests that the Commission take the following actions.

1. Expedite its ruling in this matter in light of the significant, rapidly accumulating delinquent balance of Global Crossing and the potential harm a repeat bankruptcy filing by Global Crossing could have not only upon Brandenburg Telecom, but also upon those Kentucky residents living within Brandenburg Telecom's service territory;

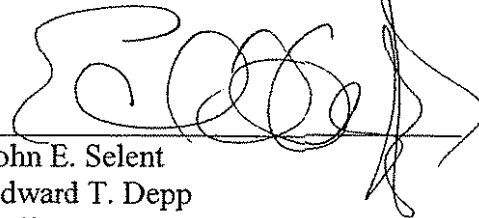
2. Order Global Crossing to immediately pay Brandenburg Telecom \$3,531.69 in satisfaction of Global Crossing's delinquent invoices for access services, as described above;

3. Order Global Crossing to immediately pay Brandenburg Telecom \$3,757.12 in satisfaction of Global Crossing's June 2006 invoices for access services and dedicated trunking facilities, as described above;

4. Order Global Crossing to timely pay Brandenburg Telecom for future access services and dedicated trunking facilities provided to it by Brandenburg Telecom or face immediate termination of all services -- including the provision of trunking facilities -- without further notice (initial notice having been provided by the Commission's order); and

5. Grant Brandenburg Telecom any and all other legal and equitable relief to which it may be entitled.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John E. Selent", written over a horizontal line.

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