

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DPI TELECONNECT, L.L.C.)	
)	
COMPLAINANT)	
V.)	CASE NO. 2005-00455
)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
)	
DEFENDANT)	

O R D E R

On November 9, 2005, dPi Teleconnect, L.L.C. ("dPi") filed a complaint against BellSouth Telecommunications, Inc. ("BellSouth") alleging that BellSouth owed credits resulting from the resale of promotional discounts. On January 30, 2006, dPi and BellSouth filed a joint motion to abate this proceeding. In support of the motion, the parties stated that they had agreed to abate the proceeding in Kentucky and other BellSouth states pending the outcome of a proceeding involving similar issues before the North Carolina Utilities Commission ("NCUC"). On March 2, 2006, the Commission entered an Order holding this case in abeyance pending the outcome of the proceeding before the NCUC. On June 7, 2006, the NCUC issued its opinion, finding against dPi. On October 12, 2006, the NCUC denied dPi's motion for reconsideration. dPi has appealed the NCUC's decision to the United States District Court.

The parties agreed to have this case held in abeyance pending the outcome of the NCUC decision. The NCUC has ruled and, despite dPi's appeal to United States

District Court, this case should go forward before the Commission. Upon receipt and review of BellSouth's response to the complaint, the Commission will issue an Order addressing further procedural issues, if any.

IT IS THEREFORE ORDERED that:

1. This case is no longer in abeyance.
2. Pursuant to 807 KAR 5:001, Section 12, BellSouth shall satisfy the matters complained of or file a written response to the complaint within 20 days of the date of this Order.

Done at Frankfort, Kentucky, this 26th day of January, 2007.

By the Commission

ATTEST:



Executive Director