

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF BALLARD RURAL	)	
TELEPHONE COOPERATIVE CORPORATION,	)	CASE NO.
INC. FOR ARBITRATION OF CERTAIN TERMS	)	2006-00215
AND CONDITIONS OF PROPOSED	)	
INTERCONNECTION AGREEMENT WITH	)	
AMERICAN CELLULAR F/K/A ACC KENTUCKY	)	
LICENSE LLC, PURSUANT TO THE	)	
COMMUNICATIONS ACT OF 1934, AS	)	
AMENDED BY THE TELECOMMUNICATIONS	)	
ACT OF 1996	)	
	)	
PETITION OF DUO COUNTY TELEPHONE	)	
COOPERATIVE CORPORATION, INC. FOR	)	CASE NO.
ARBITRATION OF CERTAIN TERMS AND	)	2006-00217
CONDITIONS OF PROPOSED	)	
INTERCONNECTION AGREEMENT WITH	)	
CELLCO PARTNERSHIP D/B/A VERIZON	)	
WIRELESS, GTE WIRELESS OF THE	)	
MIDWEST INCORPORATED D/B/A VERIZON	)	
WIRELESS, AND KENTUCKY RSA NO. 1	)	
PARTNERSHIP D/B/A VERIZON WIRELESS,	)	
PURSUANT TO THE COMMUNICATIONS ACT	)	
OF 1934, AS AMENDED BY THE	)	
TELECOMMUNICATIONS ACT OF 1996	)	
	)	
PETITION OF LOGAN TELEPHONE	)	
COOPERATIVE, INC. FOR ARBITRATION OF	)	CASE NO.
CERTAIN TERMS AND CONDITIONS OF	)	2006-00218
PROPOSED INTERCONNECTION	)	
AGREEMENT WITH AMERICAN CELLULAR	)	
CORPORATION F/K/A ACC KENTUCKY	)	
LICENSE LLC, PURSUANT TO THE	)	
COMMUNICATIONS ACT OF 1934, AS	)	
AMENDED BY THE TELECOMMUNICATIONS	)	
ACT OF 1996	)	

PETITION OF WEST KENTUCKY RURAL )  
TELEPHONE COOPERATIVE CORPORATION, )  
INC. FOR ARBITRATION OF CERTAIN TERMS )  
AND CONDITIONS OF PROPOSED )  
INTERCONNECTION AGREEMENT WITH )  
AMERICAN CELLULAR CORPORATION F/K/A )  
ACC KENTUCKY LICENSE LLC, PURSUANT )  
TO THE COMMUNICATIONS ACT OF 1934, AS )  
AMENDED BY THE TELECOMMUNICATIONS )  
ACT OF 1996 )

CASE NO.  
2006-00220

PETITION OF NORTH CENTRAL TELEPHONE )  
COOPERATIVE CORPORATION, FOR )  
ARBITRATION OF CERTAIN TERMS AND )  
CONDITIONS OF PROPOSED )  
INTERCONNECTION AGREEMENT WITH )  
AMERICAN CELLULAR CORPORATION )  
F/K/A ACC KENTUCKY LICENSE LLC, )  
PURSUANT TO THE COMMUNICATIONS ACT )  
OF 1934, AS AMENDED BY THE )  
TELECOMMUNICATIONS ACT OF 1996 )

CASE NO.  
2006-00252

PETITION OF SOUTH CENTRAL RURAL )  
TELEPHONE COOPERATIVE CORPORATION, )  
INC. FOR ARBITRATION OF CERTAIN TERMS )  
AND CONDITIONS OF PROPOSED )  
INTERCONNECTION AGREEMENT WITH )  
CELLCO PARTNERSHIP D/B/A VERIZON )  
WIRELESS, GTE WIRELESS OF THE )  
MIDWEST INCORPORATED D/B/A VERIZON )  
WIRELESS, AND KENTUCKY RSA NO. 1 )  
PARTNERSHIP D/B/A VERIZON WIRELESS, )  
PURSUANT TO THE COMMUNICATIONS ACT )  
OF 1934, AS AMENDED BY THE )  
TELECOMMUNICATIONS ACT OF 1996 )

CASE NO.  
2006-00255

PETITION OF BRANDENBURG TELEPHONE )  
COMPANY FOR ARBITRATION OF CERTAIN )  
TERMS AND CONDITIONS OF PROPOSED )  
INTERCONNECTION AGREEMENT WITH )  
CELLCO PARTNERSHIP D/B/A VERIZON )  
WIRELESS, GTE WIRELESS OF THE MIDWEST )  
INCORPORATED D/B/A VERIZON WIRELESS, )  
AND KENTUCKY RSA NO. 1 PARTNERSHIP )  
D/B/A VERIZON WIRELESS, PURSUANT TO )  
THE COMMUNICATIONS ACT OF 1934, AS )  
AMENDED BY THE TELECOMMUNICATIONS )  
ACT OF 1996 )

CASE NO.  
2006-00288

PETITION OF FOOTHILLS RURAL )  
TELEPHONE COOPERATIVE CORPORATION, )  
INC., FOR ARBITRATION OF CERTAIN TERMS )  
AND CONDITIONS OF PROPOSED )  
INTERCONNECTION AGREEMENT WITH )  
CELLCO PARTNERSHIP D/B/A VERIZON )  
WIRELESS, GTE WIRELESS OF THE )  
MIDWEST INCORPORATED D/B/A VERIZON )  
WIRELESS, AND KENTUCKY RSA NO. 1 )  
PARTNERSHIP D/B/A VERIZON WIRELESS, )  
PURSUANT TO THE COMMUNICATIONS ACT )  
OF 1934, AS AMENDED BY THE )  
TELECOMMUNICATIONS ACT OF 1996 )

CASE NO.  
2006-00292

PETITION OF GEARHEART )  
COMMUNICATIONS INC. D/B/A COALFIELDS )  
TELEPHONE COMPANY, FOR ARBITRATION )  
OF CERTAIN TERMS AND CONDITIONS OF )  
PROPOSED INTERCONNECTION AGREEMENT )  
WITH CELLCO PARTNERSHIP D/B/A VERIZON )  
WIRELESS, GTE WIRELESS OF THE MIDWEST )  
INCORPORATED D/B/A VERIZON WIRELESS, )  
AND KENTUCKY RSA NO. 1 PARTNERSHIP )  
D/B/A VERIZON WIRELESS, PURSUANT TO )  
THE COMMUNICATIONS ACT OF 1934, AS )  
AMENDED BY THE TELECOMMUNICATIONS )  
ACT OF 1996 )

CASE NO.  
2006-00294

PETITION OF MOUNTAIN RURAL )  
TELEPHONE COOPERATIVE CORPORATION, )  
INC., FOR ARBITRATION OF CERTAIN TERMS )  
AND CONDITIONS OF PROPOSED )  
INTERCONNECTION AGREEMENT WITH )  
CELLCO PARTNERSHIP D/B/A VERIZON )  
WIRELESS, GTE WIRELESS OF THE MIDWEST )  
INCORPORATED D/B/A VERIZON WIRELESS, )  
AND KENTUCKY RSA NO 1 PARTNERSHIP )  
D/B/A VERIZON WIRELESS, PURSUANT TO )  
THE COMMUNICATIONS ACT OF 1934, AS )  
AMENDED BY THE TELECOMMUNICATIONS )  
ACT OF 1996 )

CASE NO.  
2006-00296

PETITION OF PEOPLES RURAL TELEPHONE )	
COOPERATIVE CORPORATION, INC., FOR )	
ARBITRATION OF CERTAIN TERMS AND )	CASE NO.
CONDITIONS OF PROPOSED )	2006-00298
INTERCONNECTION AGREEMENT WITH )	
CELLCO PARTNERSHIP D/B/A VERIZON )	
WIRELESS, GTE WIRELESS OF THE )	
MIDWEST INCORPORATED D/B/A VERIZON )	
WIRELESS, AND KENTUCKY RSA NO. 1 )	
PARTNERSHIP D/B/A VERIZON WIRELESS, )	
PURSUANT TO THE COMMUNICATIONS ACT )	
OF 1934, AS AMENDED BY THE )	
TELECOMMUNICATIONS ACT OF 1996 )	
)	
PETITION OF THACKER-GRIGSBY )	
TELEPHONE COMPANY, INC., FOR )	CASE NO.
ARBITRATION OF CERTAIN TERMS AND )	2006-00300
CONDITIONS OF PROPOSED )	
INTERCONNECTION AGREEMENT WITH )	
CELLCO PARTNERSHIP D/B/A VERIZON )	
WIRELESS, GTE WIRELESS OF THE )	
MIDWEST INCORPORATED D/B/A VERIZON )	
WIRELESS, AND KENTUCKY RSA NO. 1 )	
PARTNERSHIP D/B/A VERIZON WIRELESS, )	
PURSUANT TO THE COMMUNICATIONS )	
ACT OF 1934, AS AMENDED BY THE )	
TELECOMMUNICATIONS ACT OF 1996 )	

O R D E R

This matter is now before the Commission upon instruction of the United States District Court for the Eastern District of Kentucky, pursuant to its May 20, 2009 Memorandum Opinion and Order and Judgment,<sup>1</sup> remanding Issue 2 back to the Commission for the purpose of providing “factual support for its determination and/or choice of DS1 (or some other level of traffic) as the threshold level requiring a dedicated

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<sup>1</sup> Opinion and Order, T-Mobile USA, Inc. et al. v. David Armstrong, et al., Civil Action No. 08-36-DCR, slip copy, United States District Court, Eastern District of Kentucky (May 20, 2009) (“May 20 Opinion”). The Court also issued a judgment in the civil action as a separate document on May 20, 2009 (“May 20 Judgment”).

trunk line.”<sup>2</sup> The Court also instructed the Commission to direct the commercial mobile radio service providers (“CMRS Providers”)<sup>3</sup> and rural local exchange carriers (“RLECs”)<sup>4</sup> to submit “new conformed interconnect agreements consistent with [the Court’s] Memorandum Opinion and Order.”<sup>5</sup> The Court ordered that the Commission “shall approve all such new conformed interconnection agreements consistent with the Court’s Memorandum Opinion and Order.”<sup>6</sup>

The Commission finds that, in furtherance of the Court’s instructions on the remand of Issue 2 and the instructions on the submission of new interconnection agreements from the parties, an informal conference shall be held to discuss the next procedural steps for these proceedings, including establishing a procedural schedule centered on Issue 2. The informal conference will be held on July 2, 2009 at 2:00 p.m.,

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<sup>2</sup> See May 20 Opinion at 6-7, 15-16; see also May 20 Judgment at 2.

<sup>3</sup> New Cingular Wireless PCS, LLC, successor to BellSouth Mobility LLC, BellSouth Personal Communications LLC, American Cellular, LLC d/b/a AT&T Mobility, and Cincinnati SMSA Limited Partnership d/b/a Cingular Wireless; Sprint Spectrum L.P., on behalf of itself and SprintCom, Inc., d/b/a Sprint PCS; T-Mobile USA, Inc., Powertel/Memphis, Inc., and T-Mobile Central LLC; and Celco Partnership d/b/a Verizon Wireless, GTE Wireless of the Midwest Incorporated, and Kentucky RSA No. 1 Partnership.

<sup>4</sup> Ballard Rural Telephone Cooperative Corporation, Inc.; Duo County Telephone Cooperative Corporation, Inc.; Logan Telephone Cooperative, Inc.; West Kentucky Rural Telephone Cooperative Corporation, Inc.; North Central Telephone Cooperative Corporation; South Central Rural Telephone Cooperative Corporation, Inc.; Brandenburg Telephone Company; Foothills Rural Telephone Cooperative Corporation, Inc.; Gearheart Communications, Inc. d/b/a Coalfields Telephone Company; Mountain Rural Telephone Cooperative Corporation, Inc.; Peoples Rural Telephone Cooperative Corporation, Inc.; and Thacker-Grigsby Telephone Company, Inc.

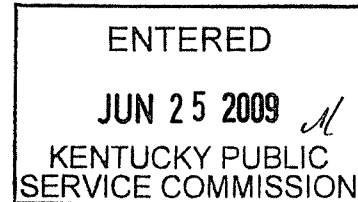
<sup>5</sup> May 20 Opinion at 16.

<sup>6</sup> Id.

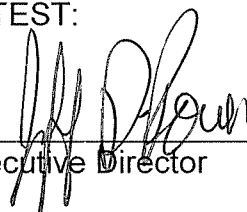
Eastern Daylight Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. Parties should make best efforts to attend this conference in person; however, anyone who is unable to attend the conference in person may participate in the conference by telephone by calling the Commission's offices at (502) 564-3940 and asking to be placed into conference line 7099.

IT IS THEREFORE ORDERED that an informal conference shall be held in this matter on July 2, 2009 at 2:00 p.m., Eastern Daylight Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, as provided herein.

By the Commission



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