

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BRANDENBURG TELEPHONE COMPANY;)	
DUO COUNTY TELEPHONE COOPERATIVE)	
CORPORATION, INC.; HIGHLAND)	
TELEPHONE COOPERATIVE, INC.; MOUNTAIN)	
RURAL TELEPHONE COOPERATIVE)	
CORPORATION, INC.; NORTH CENTRAL)	CASE NO.
TELEPHONE COOPERATIVE CORPORATION;)	2007-00004
SOUTH CENTRAL RURAL TELEPHONE)	
COOPERATIVE CORPORATION, INC.; AND)	
WEST KENTUCKY RURAL TELEPHONE)	
COOPERATIVE CORPORATION, INC.)	
)	
COMPLAINANTS)	
)	
V.)	
)	
WINDSTREAM KENTUCKY EAST, INC.)	
)	
DEFENDANT)	
)	

O R D E R

On December 8, 2008, Windstream Kentucky East, Inc. ("Windstream East") moved for dismissal of the current action. On December 22, 2008, the intervenors, NuVox Communications, Inc., Sprint Communications Company, L.P., Sprint Spectrum, L.P., SprintCom, Inc. d/b/a Sprint PCS, Nextel West Corp. Inc. and NPCR, Inc., d/b/a Nextel Partners ("Sprint Nextel"), tw telecom of ky, llc, and T-Mobile USA, Inc., Powertel/Memphis, Inc., T-Mobile Central LLC (collectively, "Intervenors") submitted their response in opposition to dismissal. On December 23, 2008, the complainants, Brandenburg Telephone Company, Duo County Telephone Cooperative Corporation,

Inc., Highland Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative Corporation, Inc., North Central Telephone Cooperative Corporation, South Central Rural Telephone Cooperative Corporation, Inc., and West Kentucky Rural Telephone Cooperative Corporation, Inc., collectively rural local exchange carriers ("RLECs"), also submitted their response in opposition to the motion.

To ensure that all parties have an adequate and equal opportunity to place their arguments into the record regarding Windstream's motion to dismiss, the Commission will allow Windstream to submit its replies to the responses no later than January 9, 2009 and the RLECs and Intervenors will be allowed to submit their sur-replies no later than January 14, 2009. After that date, the motion will stand submitted for Commission decision.

IT IS HEREBY ORDERED that:

1. Windstream shall submit replies to the RLECs' response and the Intervenors' response no later than January 9, 2009.
2. The RLECs and the Intervenors shall submit sur-replies no later than January 14, 2009.

Done at Frankfort, Kentucky this 8th day of January, 2009.

By the Commission

ATTEST:



Executive Director

Honorable Douglas F Brent
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KY 40202-2828

Edward T Depp
Dinsmore & Shohl, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202

Honorable Dennis G Howard II
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KY 40601-8204

Honorable John N Hughes
Attorney at Law
124 West Todd Street
Frankfort, KY 40601

Honorable Mark R Overstreet
Attorney at Law
Slites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KY 40602-0634

Honorable John E Selent
Attorney at Law
Dinsmore & Shohl, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202

Honorable Holly C Wallace
Attorney at Law
Dinsmore & Shohl, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202