

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TERA BLUE, INC.	)	
	)	
COMPLAINANT	)	
V.	)	CASE NO.
	)	2009-00058
WINDSTREAM KENTUCKY EAST, LLC	)	
	)	
DEFENDANT	)	

O R D E R

On March 27, 2009 the Commission issued an Order directing Tera Blue, Inc. ("Tera Blue") to have an attorney file a notice of entry of appearance in this matter along with a statement of whether or not Tera Blue is the same Tera Blue that was expunged from the Commission's list of active utilities within the state for failure to pay its Utility Gross Operating Assessment in Case No. 2006-00492 within 15 days of the date of the Order. Tera Blue was given 10 days after those filings in which to file a reply to Windstream Kentucky East's, LLC ("Windstream") answer and to file a copy of the most recent interconnection agreement between Tera Blue and Windstream.

According to Commission calculations, Tera Blue's entry of appearance and affirmative statement should have been filed no later than April 11, 2009. Accordingly, Tera Blue's reply and interconnection agreement should have been filed no later than April 21, 2009.

On April 10, 2009, the Commission received an affirmative statement from Tera Blue stating that it is the same Tera Blue that was expunged from the Commission's list of active utilities in Case No. 2006-00492. On April 15, 2009, Tera Blue filed a motion for extension of time to file the entry of appearance and tendered an entry of appearance from Jeremy R. Morgan, counsel for Tera Blue. On April 24, 2009, the Commission received an entry of appearance from Stephen G. Amato as counsel for Tera Blue. There has been no notice of withdrawal from Jeremy Morgan. On April 24, 2009, Tera Blue, by Stephen G. Amato, filed a motion for extension of time to file the interconnection agreement and response to Windstream's answer as required by paragraph 3 of the Commission's March 27, 2009 Order. On April 28, 2009, the Commission received a copy of an interconnection agreement. On May 5, 2009, the Commission received a response from Stephen G. Amato on behalf of Tera Blue.

No opposition to the motions filed by counsel for Tera Blue has been received by the Commission. The Commission having reviewed the record and being otherwise sufficiently advised, IT IS HEREBY ORDERED that:

1. The motion for extension of time to file an entry of appearance from Jeremy Morgan is granted and the entry of appearance is deemed filed.
2. The motion for extension of time to file the interconnection agreement and reply to Windstream's answer from Stephen G. Amato is granted and the interconnection agreement and reply are both deemed filed.
3. Within 15 days from the date of this Order, Jeremy Morgan shall notify the Commission whether he intends to continue to represent Tera Blue in this matter. If he

is not going to continue to represent Tera Blue, he is to file his notice of withdrawal with the Commission within this 15-day period.

By the Commission

ENTERED  
MAY 29 2009 *M*  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

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