

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF CRICKET COMMUNICATIONS,)	
INC. FOR ARBITRATION OF RATES, TERMS)	CASE NO.
AND CONDITIONS OF INTERCONNECTION)	2010-00131
WITH BELL SOUTH TELECOMMUNICATIONS,)	
INC. D/B/A AT&T KENTUCKY)	

O R D E R

On March 26, 2010, Cricket Communications, Inc. ("Cricket") and BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky ("AT&T Kentucky") filed a petition for arbitration, pursuant to 47 U.S.C. § 252(b), seeking resolution of the proposed terms and conditions for interconnection with BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky.

On May 18, 2010, the Commission issued a procedural schedule establishing a briefing schedule to address two threshold legal issues identified by both parties. The procedural schedule was subsequently suspended and the proceeding abated numerous times at the request of the parties so that the parties could negotiate the settlement of the arbitration.

On September 16, 2010, Cricket and AT&T Kentucky notified the Commission that they had resolved all remaining issues that are the subject of the arbitration. The parties stated that it anticipated having the agreement filed with the Commission by October 18, 2010. On October 18, 2010, the parties notified the Commission that they were unable to complete an agreement by October 18, 2010 and requested the


proceeding remain in abeyance until December 1, 2010 when the parties believed they would be able to file an agreement with the Commission. On November 18, 2010, the Commission issued an order continuing the abeyance as well as directing the parties to file their agreement with the Commission no later than December 1, 2010. In the alternative, if the parties were unable to file their agreement, the parties should file a statement that either: (1) stated an exact date upon which the agreement would be filed; or (2) stated that the Commission would need to remove the case from abeyance and rule on the threshold issues. On December 1, 2010, the parties notified the Commission that an agreement would be filed with the Commission no later than December 17, 2010. On December 17, 2010, the parties filed the amended interconnection agreement with the Commission.

The Commission has completed a review of the terms and conditions for interconnection between the parties. The Commission finds that agreement was negotiated pursuant to 47 U.S.C. §§ 251 and 252 of the 1996 Telecommunications Act. The Commission has reviewed the agreement and finds that no portion of the document discriminates against a telecommunications carrier not a party. The Commission also finds that the implementation of this agreement is consistent with the public interest, convenience and necessity.

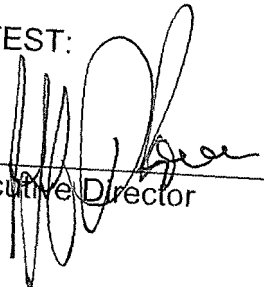
IT IS HEREBY ORDERED that:

1. This case is removed from abeyance.
2. The interconnection agreement is accepted and approved pursuant to 47 U.S.C. § 252(e)(4).
3. This matter is closed and removed from the Commission's docket.

By the Commission

ENTERED 
JAN 07 2011
KENTUCKY PUBLIC
SERVICE 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

Richard Gibbs
Davis, Wright, Tremaine LLP
1919 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20006

K.C. Halm
Davis, Wright, Tremaine LLP
1919 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20006

Honorable Mary K Keyer
General Counsel/Kentucky
BellSouth Telecommunications, Inc. dba AT&T
601 W. Chestnut Street
4th Floor East
Louisville, KY 40203