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October 21, 2004

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OCT 25 2004

PUBLIC SERVICE  
COMMISSION

Ms. Elizabeth O'Donnell  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

**RE: Administrative Case No. 382**

Dear Ms. O'Donnell:

Enclosed please find an original and ten copies of Nuvox's Motion for Extension. Please indicate receipt of this filing by your office by placing a file stamp on the extra copy and returning to me via the enclosed, self-addressed, stamped envelope.

Sincerely yours,



Douglas F. Brent

DFB:jms

Enc.

Cc: All parties of record

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OCT 25 2004  
PUBLIC SERVICE  
COMMISSION

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**AN INQUIRY INTO THE DEVELOPMENT )  
OF DEAVERAGED RATES FOR ) ADM. CASE NO. 382  
UNBUNDLED NETWORK ELEMENTS )**

**MOTION FOR AN EXTENSION**

NuVox Communications, Inc. ("Nuvox") states as follows in support of its Motion for an Extension related to the filing of testimony:

1. On October 1, 2004, the Kentucky Public Service Commission ("Commission") issued an Order establishing the following procedural schedule:

- a. October 25, 2004 - Prefiled Direct Testimony
- b. November 23, 2004 - Prefiled Rebuttal Testimony

2. On October 15, 2004, the Commission issued an additional Order setting this matter for hearing on January 25, 2005.

3. The Commission earlier modified the procedural schedule in response to a joint motion of Kentucky ALLTEL, Inc. ("Kentucky ALLTEL") and NuVox. Kentucky ALLTEL and NuVox had advised the Commission that they were in continuing discussions related to discovery. Among the issues the parties have discussed is the need for NuVox to examine certain document from Calix Networks, Inc. ("Calix"), a vendor to Kentucky ALLTEL.

4. Calix required Kentucky ALLTEL and NuVox to execute a protective agreement in order to review materials claimed to be confidential. Kentucky ALLTEL drafted a protective agreement. Calix required changes to the proposed agreement -- final

agreement was reached on October 20. NuVox has not yet received the requested documents and will need additional time in order review the materials and prepare testimony.

5. In addition, the parties are still in discussion related to other discovery-related issues. NuVox believes these issues should be resolved prior to filing its testimony. Accordingly, and in view of the fact that the hearing in this matter is more than three months away, NuVox respectfully requests that the Commission extend the filing dates for prefiled testimony. NuVox is authorized to state that Kentucky ALLTEL does not oppose this request.

6. NuVox requests that the current procedural schedule be amended to reflect the following dates:

- a. December 10, 2004 - Prefiled Direct Testimony
- b. January 7, 2005 - Prefiled Rebuttal Testimony
- c. January 25, 2005 - Formal Hearing (unchanged)

WHEREFORE, Nuvox requests that the Commission grant its Motion for an Extension and all other necessary and proper relief to which NuVox may be entitled.

Dated this 21st day of October, 2004.

Respectfully submitted,

**NUVOX COMMUNICATIONS, INC.**

By: 

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following via regular U.S. mail postage prepaid this 21st day of October, 2004:



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