

**Dinsmore & Shohl** LLP  
ATTORNEYS

John E. Selent  
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July 15, 2005

**Via Hand Delivery**

Hon. Gerald Wuetcher  
Acting General Counsel  
to the Public Service Commission  
of the Commonwealth of Kentucky  
Public Service Commission  
211 Sower Blvd.  
P. O. Box 615  
Frankfort, KY 40601

RECEIVED

JUL 15 2005

PUBLIC SERVICE  
COMMISSION

***Re: Joint Petition for Arbitration of NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC on Behalf of Its Operating Subsidiaries, Xspedius Management Co. Switched Services, LLC, Xspedius Management Co. of Lexington, LLC, and Xspedius Management Co. of Louisville, LLC of an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as Amended, before the Public Service Commission of the Commonwealth of Kentucky, Case No. 2004-00044***

Dear Mr. Wuetcher:

We are legal counsel to the Joint Petitioners in the above-styled proceeding. On their behalf, on Wednesday of this week, we filed certain documents with the Public Service Commission pursuant to the letter attached hereto, which letter is addressed to the Hon. Beth O'Donnell as Executive Director of the Public Service Commission and is dated July 12, 2005.

The documents which accompanied those letters were for insertion in the public record.

However, it has come to my attention that certain documents included with those documents to be inserted into the public record are confidential.

Hon. Beth O'Donnell  
July 15, 2005  
Page 2

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We would therefore request that those documents which we view as confidential be pulled from the public record pending our motion to the Commission to do so which we will file promptly, by Monday, July 18, 2005 in the morning.

Finally, I should note that the document numbers which we would ask not be made available to the public at this time and until such time as we can promptly file a motion requesting their removal from the public record are as follows: XSP 0004, XSP 0005, NVX 00051 and NVX 00052. (We have today filed a motion requesting confidential treatment of these documents in this matter, along with our post-hearing brief.)

I should also note in this regard that we have advised BellSouth of this situation because they, of course, were served with the confidential documents which were mistakenly filed with the Commission on or about July 13.

If you have any questions with respect to this matter, please call me, and I am sorry for any inconvenience caused by my error.

Very truly yours,

DINSMORE & SHOHL LLP

  
John E. Seibert

JES/bmt  
Enclosures

cc: Amy E. Dougherty, Esq.  
All Parties of Record

**Dinsmore & Shohl** LLP  
ATTORNEYS

John E. Selent  
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July 12, 2005

Hon. Beth O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Blvd.  
P. O. Box 615  
Frankfort, KY 40601

**Re: *Joint Petition for Arbitration of NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC on Behalf of Its Operating Subsidiaries, Xspedius Management Co. Switched Services, LLC, Xspedius Management Co. of Lexington, LLC, and Xspedius Management Co. of Louisville, LLC of an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as Amended, before the Public Service Commission of the Commonwealth of Kentucky, Case No. 2004-00044***

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Dear Ms. O'Donnell:

I am enclosing with this letter two (2) copies of the written discovery filed in the arbitration proceeding before the North Carolina Utilities Commission, (Docket Numbers P-772, P-913, P-989, P-824, and P-1202), pursuant to Paragraph #2 of the Joint Stipulation between the parties to this proceeding before the Kentucky Public Service Commission, which Paragraph #2 provides as follows:

**2. *North Carolina written discovery and depositions go in (per usual arrangement).***

Parts of the written discovery referred to in this letter are confidential and are therefore being filed under separate cover, along with a petition for confidential treatment with respect thereto.

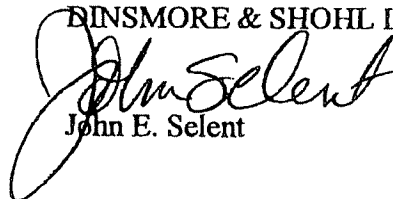
Thank you, and if you have any questions with regard to this matter, please call me.

Hon. Beth O'Donnell  
July 12, 2005  
Page 2

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Very truly yours,

DINSMORE & SHOHL LLP

A handwritten signature in black ink, appearing to read "John E. Selent", written over the typed name below.

John E. Selent

JES/kwi

cc: Amy E. Dougherty, Esq.  
All Parties of Record

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