

Cheryl R. Winn
Attorney At Law

May 26, 2005

Ms. Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602

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PUBLIC SERVICE
COMMISSION


Re: Enforcement of Interconnection Agreement Between BellSouth
Telecommunications, Inc. and NuVox Communications, Inc.
PSC 2004-00295

Dear Ms. O'Donnell:

BellSouth responds to NuVox's May 24, 2005 letter. The Commission issued an Order on April 15, 2005, clearly requiring NuVox to submit to an audit of its records and information relating to certain combinations of loop and transport elements purchased by NuVox from BellSouth. In compliance with the Commission's Order, BellSouth engaged Grant Thornton, LLP, the audit began on May 16, 2005, and in furtherance of the Commission-ordered audit, Grant Thornton contacted NuVox on May 18 with respect to planning the field work for the audit. NuVox then advised the auditor that NuVox did not intend to comply with the Commission's April 15, 2005, Order and has erected obstacles to the orderly process of the audit ordered by this Commission.¹ There is no valid legal basis for NuVox to fail to comply with the audit ordered by the Commission on April 15, 2005. Even though NuVox filed a Motion for Reconsideration of the Commission's April 15, 2005, Order, the Commission has an Order in place that has not been stayed – its April 15, 2005, Order -- and the Commission should act to enforce its Order with respect to the audit.

Enclosed for filing in the above-captioned case are the original and ten (10) copies of this letter.

Sincerely,


Cheryl R. Winn
for

Enclosures

cc: Parties of Record

¹ NuVox's assertion that BellSouth has not identified the fifteen enhanced extended link ("EEL") circuits is incorrect. BellSouth identified the circuits in its initial Complaint. See BellSouth's Complaint, paragraph 23.