

**VIA OVERNIGHT DELIVERY**

July 20, 2005

Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40602

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PUBLIC SERVICE  
COMMISSION

Re: Case No. 2005-00186

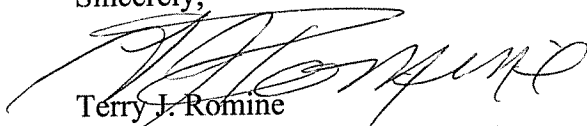
Dear Ms. O'Donnell:

On June 22, 2005, the Commission issued an Order in the above-referenced Case in which it tentatively concluded that "a calling plan that is labeled, described or marketed as "unlimited," when, in fact, a limit exists on the plan, is potentially deceptive, and therefore, unreasonable." The Commission sought comments on its tentative conclusions and issued a data request requiring all telecommunications utilities that have tariffs with unlimited calling plans to file with the Commission to respond to the data requests no later than July 22, 2005. On July 1, 2005, the Commission issued an Order in the above-referenced Case granting the Attorney General of the Commonwealth of Kentucky's ("AG") Motion to Intervene in the Case and leave to file data requests. The AG's data request must also be responded to no later than July 22, 2005.

US LEC of Tennessee Inc. d/b/a US LEC Communications ("US LEC") provides voice, data and Internet service to business customers and does not currently provide services to residential customers. US LEC's tariffs on file with the Commission have no calling plans that are labeled or described as "unlimited" plans nor does US LEC market any calling plan as an "unlimited" plan. Accordingly, US LEC believes that it is exempt from filing a response to the data requests in this Case.

Should the Commission have any questions or need additional information, please contact the undersigned.

Sincerely,

  
Terry J. Romine  
Deputy General Counsel – Regulatory

cc: Douglas Brent, Esq.  
Dennis G. Howard, Assistant Attorney General, Commonwealth of Kentucky