## @ BELLSOUTH

**BellSouth Telecommunications, Inc.** 

601 W. Chestnut Street Room 407 Louisville, KY 40203

Dorothy.Chambers@BellSouth.com

**Dorothy J. Chambers** General Counsel/Kentucky

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December 29, 2005

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PUBLIC SERVICE COMMISSION

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

Re:

BellSouth Telecommunications, Inc.'s Notice of Intent to Disconnect

SouthEast Telephone, Inc. for Non-Payment

PSC 2005-00519

Dear Ms. O'Donnell:

Enclosed for filing in the above-captioned case is the original and ten (10) copies of BellSouth Telecommunications, Inc.'s Motion for Reconsideration.

Very truly yours,

Dorothy J.bhambers

**Enclosures** 

cc: Parties of Record

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#### COMMONWEALTH OF KENTUCKY

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PUBLIC SERVICE

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS	)	
INC.'S NOTICE OF INTENT TO DISCONNECT	)	CASE NO. 2005-00519
SOUTHEAST TELEPHONE, INC. FOR	)	
NONPAYMENT)		

# BELLSOUTH TELECOMMUNICATIONS, INC.'S MOTION FOR RECONSIDERATION

BellSouth Telecommunications, Inc., ("BellSouth"), by counsel, respectfully requests the Public Service Commission of the Commonwealth of Kentucky (the "Commission"), to reconsider its denial of BellSouth's confidentiality petition with respect to the information highlighted in the December 2, 2005, letter from Joan A. Coleman to Elizabeth O'Donnell pursuant to KRS 61.878(1)(c)1 and 61.878(1)(k). Specifically, the Commission found the highlighted information contained in the letter is not "commercially valuable" to other carriers, "nor is it customer proprietary network information."

The information for which BellSouth seeks confidentiality is wholesale data specific to the CLEC, SouthEast Telephone, Inc. ("SouthEast"). Specifically, the information reflects the number of customers that SouthEast has in Kentucky. SouthEast is a wholesale customer of BellSouth and the information provided is classic customer proprietary network information ("CPNI").

<sup>&</sup>lt;sup>1</sup> BellSouth incorporates herein its Confidentiality Petition filed in this case on December 2, 2005, including, but not limited to, the discussion of federal law and CPNI ("the 222(a) obligation") discussed at 2 therein.

On or about August 8, 2005, BellSouth filed its Motion for Reconsideration in Ky. PSC Case Number 2005-00229 on the same issue.<sup>2</sup> BellSouth adopts and incorporates its arguments in its Motion for Reconsideration in Case Number 2005-00229 as if fully set forth herein.

Accordingly, for the foregoing reasons as well as the reasons stated in BellSouth's Confidentiality Petition filed December 2, 2005, the Commission should reconsider its earlier decision in this matter and grant BellSouth's request for confidential treatment of the identified information based upon BellSouth's petition filed on that same date.

Respectfully submitted,

Dorothy J. Chambers

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Louisville, KY 40232

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COUNSEL FOR BELLSOUTH TELECOMMUNICATIONS, INC.

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<sup>&</sup>lt;sup>2</sup> BellSouth Telecommunications, Inc.'s Motion for Reconsideration, In the Matter of: BellSouth Telecommunications, Inc.'s Notice of Intent to Disconnect Phone-Link, Inc. for Nonpayment, Case No. 2005-00229 (Ky. P.S.C. August 8, 2005).

#### **CERTIFICATE OF SERVICE – PSC 2005-00519**

It is hereby certified that a true and correct copy of the foregoing was served on the following individuals by mailing a copy thereof, this 29th day of December 2005.

Darrell Maynard SouthEast Telephone, Inc. 106 Power Drive P. O. Box 1001 Pikeville, KY 41502-1001

Hon. Jonathon N. Amlung AMLUNG Law Offices 616 S. 5th Street Louisville, KY 40202

Bethany Bowersock SouthEast Telephone, Inc. 106 Power Drive P. O. Box 1001 Pikeville, KY 41502-1001

Hon. David L. Sieradzki Hogan & Hartson, L.L.P. 555 Thirteenth Street, N.W. Washington, DC 20004-1109

Dorothy J. Obambers