



Holland N. McTyeire, V
Direct (502) 587-3672 Fax (502) 540-2223 E-mail hnm@gdm.com

Via Hand Delivery

October 6, 2006

Ms. Beth A. O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

RECEIVED

OCT 06 2006

PUBLIC SERVICE
COMMISSION

RECEIVED

OCT 07 2006

PUBLIC SERVICE
COMMISSION

Re: *Petition Of Ballard Rural Telephone Cooperative Corporation, Inc. For Arbitration Of Certain Terms And Conditions Of Proposed Interconnection Agreement With American Cellular F/K/A/ ACC Kentucky License LLC, Pursuant To The Communications Act Of 1934, As Amended By The Telecommunications Act Of 1996, Case No. 2006-00215*

Petition of Logan Telephone Cooperative Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996, Case No. 2006-00218

Petition of West Kentucky Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996, Case No. 2006-00220

Petition of North Central Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular f/k/a ACC Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996, Case No. 2006-00252

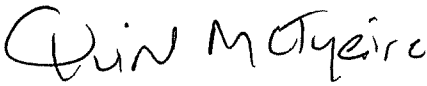
Dear Ms. O'Donnell:

Enclosed herewith please find for filing with the Commission four (4) originals and ten (10) copies of American Cellular Corporation's Request For Dismissal in the above styled matter.

Ms. Beth A. O'Donnell
October 6, 2006
Page 2

Please do not hesitate to contact the undersigned should you have any questions concerning this filing.

Sincerely,

A handwritten signature in black ink that reads "Holland N. McTyeire". The signature is written in a cursive, slightly slanted style.

Holland N. McTyeire, V

HNM/jh

Enclosures

cc: Leon M. Bloomfield

1191192_1

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

RECEIVED

In the Matter of:

OCT 06 2006

OCT 07 2006

PUBLIC SERVICE
COMMISSION

PUBLIC SERVICE
COMMISSION

Petition of Ballard Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With American Cellular f/k/a Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996

Case No. 2006-00215

Petition of Logan Telephone Cooperative Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement With American Cellular f/k/a Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996

Case No. 2006-00218

Petition of West Kentucky Rural Telephone Cooperative Corporation, Inc. for Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular f/k/a Kentucky License LLC, Pursuant to the Communications Act of 1934, as Amended by the Telecommunications Act of 1996

Case No. 2006-00220

Petition of North Central Telephone Cooperative Corporation, For Arbitration of Certain Terms and Conditions of Proposed Interconnection Agreement with American Cellular Corporation f/k/a Kentucky License LLC, Pursuant To the Communications Act of 1934, As Amended by the Telecommunications Act of 1996

Case No. 2006-00252

AMERICAN CELLULAR CORPORATION'S REQUEST FOR DISMISSAL

American Cellular Corporation (“ACC”) hereby requests that it be dismissed from the above-referenced arbitration proceedings initiated by Ballard Rural Telephone Cooperative Corporation, Inc., Logan Telephone Cooperative, Inc., North Central Telephone Cooperative Corporation, and West Kentucky Rural Telephone Cooperative Corporation, Inc. (referred to collectively herein as the “Petitioners”). In particular, ACC’s request is based on the following:

1. Effective January 1, 2006, in accordance with Section 3.01 of the Settlement Agreement (the “Settlement Agreement”) dated May 1, 2004, and otherwise entered in Docket No. 2003-00045, ACC sent requests for negotiations of an interconnection agreement to each of the Petitioners pursuant to, and consistent with, Sections 251 and 252 of the Communications Acts of 1934 as amended by the Telecommunications Act of 1996 (“Act”).

2. Each of the Petitioners subsequently filed timely petitions for arbitration against ACC with the Kentucky Public Service Commission (the “Commission”) and each petition was assigned the respective docket number noted above in the caption.

3. ACC is not a party to any of the other arbitration proceedings currently pending at the Commission.

4. ACC has since determined that it does not currently send any mobile-originated traffic to any of the Petitioners directly or through BellSouth or any other third-party tandem transit service provider. As noted in ACC’s Supplemental Responses filed and served on September 22, 2006 in the above-referenced cases, ACC “currently exchanges all mobile-originated traffic with petitioners through long distance carriers and in particular AT&T. ACC does not utilize transiting services provided by BellSouth, or any other tandem transit service provider, to deliver its traffic to the Petitioners.” In addition, as noted in those same

Supplemental Responses, ACC does not currently provide wireless coverage in the local exchange area of any of the Petitioners, and has no licenses to provide that coverage.

5. ACC does not currently desire to enter into an interconnection agreement regarding the exchange of telecommunications traffic with the Petitioners. In addition, it is ACC's understanding that none of the Petitioners currently desire to enter into an interconnection agreement with ACC.

6. In the event that ACC submits a request for interconnection to a Petitioner prior to the time the Commission issues its ruling in the pending arbitrations which are otherwise set for hearing from October 16-18, 2006, ACC agrees that it will adopt the final interconnection agreement ultimately approved by the Commission in the pending proceeding for that Petitioner.

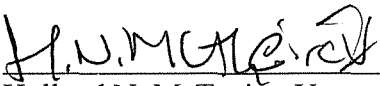
7. In the event that ACC (or any of the Petitioners) seeks to establish an interconnection agreement with one another at some date after the Commission issues its ruling in the pending arbitrations which are otherwise set for hearing from October 16-18, 2006, nothing in this request limits ACC's (or any of the Petitioner's) right to make a request for negotiations under Section 251 of the Act or otherwise pursue its rights under the Act.

8. ACC hereby withdraws each of its requests for interconnection to the Petitioners described above in Paragraph No. 1.

9. Based on representations from Petitioners' counsel, ACC understands that the Petitioners do not oppose the dismissal requested by ACC as set forth herein and will shortly file a letter of non-opposition with the Commission to that effect.

Accordingly, ACC respectfully requests that the Commission dismiss ACC from the arbitration proceedings in Case Nos. 2006-00215, 2006-00218, 2006-00220 and 2006-00252; each side to bear its own costs.

Dated: October 6, 2006

By: 
Holland N. McTyeire, V
GREENEBAUM DOLL & McDONALD PLLC

3500 National City Tower
101 South Fifth Street
Louisville, KY 40202
Telephone: (502) 587-3672
Facsimile: (502) 540-2223
E-mail: hnm@gdm.com

and

Leon M. Bloomfield
WILSON & BLOOMFIELD LLP
1901 Harrison St., Suite 1620
Oakland, CA 94612
Telephone: (510) 625-1164
Facsimile: (510) 625-8253
E-mail: lmb@wblaw.net

ATTORNEYS FOR AMERICAN CELLULAR
CORPORATION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of American Cellular Corporation's Request For Dismissal was on this 6th day of October, 2006 served via United States mail, postage prepaid to the following:

John E. Selent
Holly C. Wallace
Edward T. Depp

DINSMORE & SHOHL, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202

James Dean Liebman

LIEBMAN & LIEBMAN
403 West Main Street
P.O. Box 478
Frankfort, Kentucky 40602

Bhogin M. Modi
Vice President

COMSCAPE COMMUNICATIONS, INC.
1926 10th Avenue, North
Suite 305
West Palm Beach, Florida 33461


William G. Francis

FRANCIS, KENDRICK AND FRANCIS
First Commonwealth Bank Building
311 North Arnold Avenue, Suite 504
P.O. Box 268
Prestonburg, Kentucky 41653-0268

Thomas Sams

NTCH, INC.
1600 Ute Avenue, Suite 10
Grand Junction, Colorado 81501
toms@cleartalk.net

NTCH-WEST, INC.
1970 N. Highland Avenue
Suite E
Jackson, Tennessee 38305



ATTORNEYS FOR AMERICAN
CELLULAR CORPORATION