



Holland N. McTyeire, V  
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*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

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OCT 07 2006

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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*

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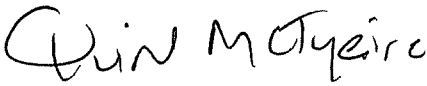
Dear Ms. O'Donnell:

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  
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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

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

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PUBLIC SERVICE  
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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.

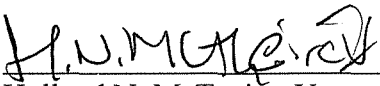
7. In the event that ACC (or any of the Petitioners) seeks to establish an interconnection agreement with one another at some date after the Commission issues its ruling in the pending arbitrations which are otherwise set for hearing from October 16-18, 2006, nothing in this request limits ACC's (or 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:   
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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 6<sup>th</sup> day of October, 2006 served via United States mail, postage prepaid to the following:

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