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PUBLIC SERVICE COMMISSION

April 2, 2007

Via Hand Deliver Hon. Beth O'Donnell Executive Director Public Service Commission 211 Sower Blvd. Frankfort, KY 40601

# Re: In the Matter of: BellSouth Telecommunications, Inc. v. Brandenburg Telephone Company, Case No. 2006-00546

Dear Ms. O'Donnell:

I have enclosed for filing in the above-styled case the original and ten (10) copies of Brandenburg Telephone Company's Motion to Schedule a Public Hearing.

Thank you, and if you have any questions, please call me.

Charlesion Clincinnati Columbus Dayton Lexington

Sincerely,

**DINSMORE & SHOHL LLP** 

Holly C. Wallace

HCW/rk Enclosures

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## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:	C.
BELLSOUTH TELECOMMUNICATIONS, INC.	)
COMPLAINANT	) )
<b>v</b> .	) CASE NO. 2006-00546
BRANDENBURG TELEPHONE COMPANY	)
DEFENDANT	)

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### BRANDENBURG TELEPHONE'S MOTION TO SCHEDULE A PUBLIC HEARING

Brandenburg Telephone Company ("Brandenburg Telephone"), by counsel, and pursuant to 807 KAR 5:001, Section 4(1)(b) and the Kentucky Public Service Commission (the "Commission") January 24, 2007 Scheduling Order in this matter, hereby moves the Commission to schedule a public hearing in the above-referenced case. In support of its motion, Brandenburg Telephone states as follows.

Pursuant to the Commission's Scheduling Order, the parties are required to notify the Commission by April 2, 2007 if they request a formal hearing. By way of this motion, Brandenburg Telephone hereby timely submits its request for a formal hearing.

A hearing is appropriate in this matter because the parties have completed the discovery process as contemplated by the Commission's Scheduling Order. In addition, the parties attended an informal conference before Commission staff on March 15, 2007 wherein the parties identified genuine issues of fact that are appropriate for resolution through a formal hearing. Moreover, although the parties have continued discussions in an effort to resolve this matter, they have been unable to reach a resolution, but continue their efforts to do so.

For these reasons, Brandenburg Telephone respectfully requests the Commission to grant its

motion for a public hearing

Respectfully submitted,

John É. Selent Holly C. Wallace Edward T. Depp **DINSMORE & SHOHL LLP** 500 West Jefferson Street 1400 PNC Plaza Louisville, Kentucky 40202 (502) 540-2300 (tel.) (502) 585-2207 (fax)

## COUNSEL TO BRANDENBURG TELEPHONE COMPANY

#### **CERTIFICATE OF SERVICE**

It is hereby certified that the foregoing was served by mailing a copy of the same by First Class United States mail, postage prepaid, this  $2^{\frac{nd}{2}}$  day of April, 2007, to the following:

Mary K. Keyer General Counsel/Kentucky 601 W. Chestnut Street P.O. Box 32410 Louisville, KY 40232 Counsel for BellSouth Telecommunications, Inc.

J. Philip Carver, Senior Attorney Suite 4300 675 West Peach Tree Street, NW Atlanta, GA 30375 Counsel for BellSouth Telecommunications, Inc.

Counsel to Brandenburg Telephone Company

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