

COMMONWEALTH OF KENTUCKY **RECEIVED**
BEFORE THE PUBLIC SERVICE COMMISSION

FEB 24 2014

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

BALLARD RURAL TELEPHONE COOPERATIVE)
CORPORATION, INC., ET AL.)
COMPLAINANTS)
v.)
BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A)
AT&T KENTUCKY)
DEFENDANT/THIRD PARTY COMPLAINANT)
v.)
HALO WIRELESS, INC.)
THIRD PARTY DEFENDANT)

CASE No. 2011-00199

**JOINT MOTION TO STAY PROCEDURAL
SCHEDULE AND FOR AN EXPEDITED RULING**

Complainants Ballard Rural Telephone Cooperative Corporation, Inc., Brandenburg Telephone Company, Duo County Telephone Cooperative Corporation, Inc., Foothills Rural Telephone Cooperative, Inc., Gearheart Communications Co., Inc., Highland Telephone Cooperative, Inc., Logan Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative Corporation, Inc., North Central Telephone Cooperative Corporation, Peoples Rural Telephone Cooperative, Inc., South Central Rural Telephone Cooperative Corporation, Inc., Thacker-Grigsby Telephone Company, Inc., and West Kentucky Rural Telephone Cooperative Corporation, Inc. (the "RLECs"), and Defendant/Third Party Complainant BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky ("AT&T Kentucky") (collectively the "Parties"), by counsel, hereby jointly move for a stay of the procedural schedule in this matter and request an expedited ruling on this motion. In support of the motion and the request, the Parties state as follows.

1. This matter comes before the Commission by formal complaint against AT&T Kentucky filed by the RLECs on May 24, 2011.

2. This action was removed to, and remanded by, the United States District Court for the Eastern District of Kentucky, and has been the subject of various procedural schedules since its inception.

3. Pertinent to the instant motion, the Commission established an amended procedural schedule on December 11, 2013 which, among other things, required that responses to initial requests for information be filed no later than December 20, 2013.

4. In response to this Order, the Parties filed a joint motion on December 17, 2013 updating the Commission on the Parties' recent and continuing discussions relating to the potential pursuit of settlement negotiations, and advising the Commission of the Parties' intent to meet and hold substantive, good faith settlement talks to explore a negotiated resolution of this matter. The motion requested that the deadlines set forth in the Commission's December 11th procedural order be extended to allow a reasonable time for the aforementioned settlement discussions to occur. The Parties explained to the Commission that such a brief extension of those dates would allow the Parties to use their time and resources preparing for their upcoming meeting and related discussions, rather than fulfilling their respective discovery obligations.

5. On December 30, 2013, the Commission granted the Parties' joint motion and established an amended procedural schedule.

6. Since the entry of this December 30th Order, the Parties did in fact meet in-person to discuss the potential resolution of this action. Specifically, a representative from AT&T Kentucky flew into Louisville from North Carolina to meet and discuss potential settlement with the RLECs. During and subsequent to that meeting, the Parties exchanged information and formal written settlement proposals. While a final settlement has not yet been reached, significant progress has

been made toward that end. As of the date of this motion, settlement negotiations, consisting of the exchange of information and ongoing resolution discussions, remain in process.

7. Accordingly, in order to encourage an efficient preservation of the Parties' and Commission staff's resources, it is requested that the amended pre-hearing deadlines established in the Commission's December 30, 2013 Order be stayed and held in abeyance while the prospect of settlement continues to be explored.

8. To keep the Commission updated on the status and progress of such ongoing negotiations, the Parties propose to file periodic joint status reports with the Commission. The Parties suggest the filing of such reports to occur no later than forty-five (45) days from entry of an Order granting this motion, and no later than every forty-five (45) days thereafter, as needed.

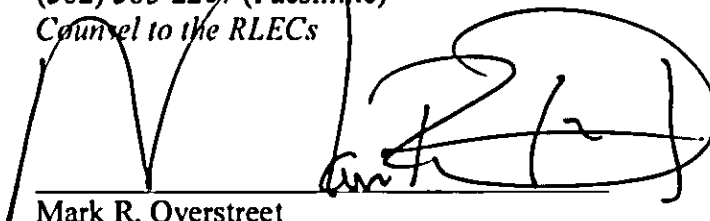
9. This motion is not made for the purpose of delay; rather, it is in the interest of all parties to allow for the most orderly and efficient adjudication of this matter.

10. Finally, because responses to initial data requests are presently due on March 12, 2014, the Parties respectfully request an expedited ruling on this motion.

WHEREFORE, for all the foregoing reasons, the Parties respectfully and jointly request that the Commission stay the procedural schedule established by the Commission's' Order of December 30, 2013, and generally hold the deadlines contained therein in abeyance pending exhaustion of the Parties' ongoing settlement negotiations.

Respectfully submitted,

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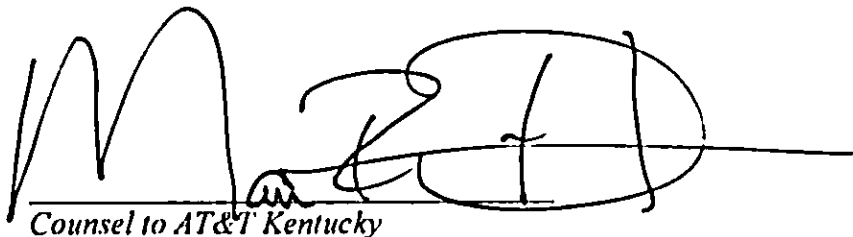
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by U.S. mail this 24th day of February, 2014, on the following individuals:

HALO WIRELESS, INC.:

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