

**Dinsmore & Shohl** LLP  
ATTORNEYS

Holly C. Wallace  
502-540-2315  
john.selent@dinslaw.com

April 27, 2005

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APR 28 2005

PUBLIC SERVICE  
COMMISSION

**Via Federal Express**  
Hon. Beth O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Blvd.  
P. O. Box 615  
Frankfort, KY 40601

***Re: In the matter of Joint Petition for Arbitration of NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC on Behalf of Its Operating Subsidiaries, Xspedius Management Co. Switched Services, LLC, Xspedius Management Co. of Lexington, LLC, and Xspedius Management Co. of Louisville, LLC of an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as Amended, before the Public Service Commission of the Commonwealth of Kentucky, Case No. 2004-00044***

Dear Ms. O'Donnell:

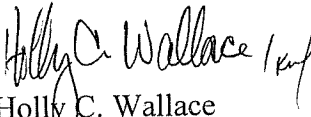
Enclosed for filing in the above-styled case with the Public Service Commission of the Commonwealth of Kentucky is an original and eleven copies of the Motion for Admission Pro Hac Vice of Garret R. Hargrave for the Joint Petitioners.

Please return a file-stamped copy in the enclosed, postage-paid envelope.

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

Very truly yours,

DINSMORE & SHOHL LLP

  
Holly C. Wallace

JES/bmt  
Enclosures

cc: Amy E. Dougherty, Esq.  
John Heitmann, Esq.

COMMONWEALTH  
BEFORE THE PUBLIC

ORIGINAL

*In the Matter of:*

NEWSOUTH COMMUNICATIONS CORP.,  
NUVOX COMMUNICATIONS, INC.,  
KMC TELECOM V, INC.,  
KMC TELECOM III LLC, AND  
XSPEDIUS COMMUNICATIONS, LLC  
on Behalf of its Operating Subsidiaries  
XSPEDIUS MANAGEMENT CO.  
SWITCHED SERVICES, LLC  
XSPEDIUS MANAGEMENT CO. OF LEX  
and  
XSPEDIUS MANAGEMENT CO. OF LOUISVILLE, LLC ,  
)  
Of an Interconnection Agreement with BellSouth )  
Telecommunications, Inc. Pursuant to Section )  
252(b) of the Communications Act of 1923, as )  
Amended )

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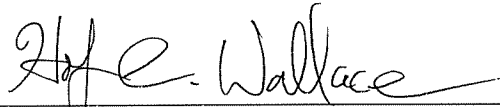
PUBLIC SERVICE  
COMMISSION

**MOTION FOR ADMISSION PRO HAC VICE**

NewSouth Communications Corp. (“NewSouth”); NuVox Communications, Inc. (“NuVox”); KMC Telecom V, Inc. (“KMC V”) and KMC Telecom III LLC (“KMC III”) (collectively, “KMC”); and Xspedius Communications, LLC on behalf of its operating subsidiaries Xspedius Management Co. Switched Services, LLC (“Xspedius Switched”), and Xspedius Management Co. of Lexington, LLC and Xspedius Management Co. of Louisville, LLC (“Xspedius Management”) (collectively, “Xspedius”) (collectively, the “Joint Petitioners”), by counsel, hereby move the Kentucky Public Service Commission (the “Commission”) to admit pro hac vice Garret R. Hargrave of the law firm of Kelley, Drye & Warren LLP, 1200 19th Street, N.W., Suite 500, Washington, D.C. 20036, telephone (202) 955-9888, in the present action. In support of this motion, Joint Petitioners state as follows.

Mr. Hargrave is counsel to the Joint Petitioners, and a member in good standing of the Bar of the District of Columbia. Mr. Hargrave attests in his affidavit attached as Exhibit A, that he agrees to comply with the rules and regulations of the Commission and to be subject to the jurisdiction and rules of the Kentucky Supreme Court governing professional conduct. In addition, Joint Petitioners' local counsel, John E. Selent and Holly C. Wallace of the law firm of Dinsmore & Shohl LLP, 1400 PNC Plaza, 500 W. Jefferson Street, Louisville, Kentucky 40202, agree that one or both of them will be present at all proceedings before the Commission. Accordingly, the Joint Petitioners respectfully request that the Commission grant the Joint Petitioners' motion and issue an order admitting pro hac vice Mr. Hargrave for the purpose of representing Joint Petitioners in this action.

Respectfully submitted,



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John E. Selent  
Holly C. Wallace  
**DINSMORE & SHOHL LLP**  
1400 PNC Plaza  
500 W. Jefferson Street  
Louisville, KY 40202  
Tel.: (502) 540-2300  
Fax: (502) 585-2207  
E-mail: john.selent@dinslaw.com

*Counsel to the Joint Petitioners*

**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, to the following, this <sup>12</sup>27 day of April, 2005.

J. Phillip Carver  
BellSouth Telecommunications, Inc.  
1155 Peachtree Street  
Atlanta, GA 30309-3610  
j.carver@bellsouth.com

Jake E. Jennings  
Senior Vice President  
NewSouth Communications Corp.  
NewSouth Center  
Two North Main Street  
Greenville, SC 29601  
jejennings@newsouth.com

Dorothy J. Chambers  
General Counsel/Kentucky  
BellSouth Telecommunications, Inc.  
601 W. Chestnut Street, Room 410  
P.O. Box 32410  
Louisville, KY 40232  
BellSouthKY.CaseFilings@BellSouth.com

Marva Brown Johnson  
Senior Regulatory Policy Advisor  
KMC Telecom V, Inc.  
1755 North Brown Road  
Lawrenceville, GA 30043  
mabrow@kmctelecom.com

James C. Falvey, Esq.  
Xspedius Management Co., LLC  
7125 Columbia Gateway Dr., Suite 200  
Columbia, MD 21046  
jim.falvey@xspedius.com

Bo Russell  
Regional Vice President  
NuVox Communications, Inc.  
301 North Main Street  
Suite 5000  
Greenville, SC 29601  
brussell@nuvox.com

Chad Pifer  
Regulatory Counsel  
KMC Telecom  
1755 N. Brown Road  
Lawrenceville, GA 30043  
rpifer@kmctelecom.com

  
\_\_\_\_\_  
*Counsel to the Joint Petitioners*



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

**IN THE MATTER OF:**

**NEWSOUTH COMMUNICATIONS CORP.,  
NUVOX COMMUNICATIONS, INC.,  
KMC TELECOM V, INC.,  
KMC TELECOM III LLC, AND  
XSPEDIUS COMMUNICATIONS, LLC  
ON BEHALF OF ITS OPERATING SUBSIDIARIES  
XSPEDIUS MANAGEMENT CO.  
SWITCHED SERVICES, LLC  
XSPEDIUS MANAGEMENT CO. OF LEXINGTON, LLC,  
AND XSPEDIUS MANAGEMENT OF LOUISVILLE, LLC**

**Case No.  
2004-00044**

**OF AN INTERCONNECTION AGREEMENT WITH BELL SOUTH  
TELECOMMUNICATIONS, INC. PURSUANT TO SECTION 252(B)  
OF THE COMMUNICATIONS ACT OF 1923, AS AMENDED.**

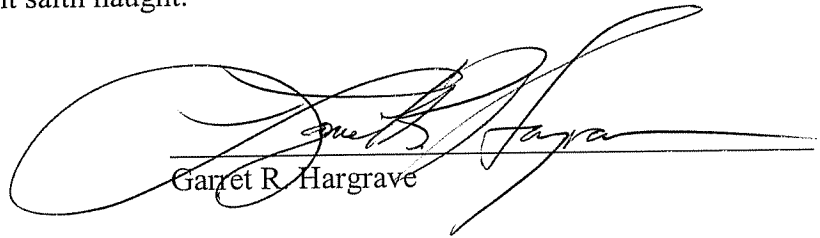
**AFFIDAVIT**

Affiant, Garret R. Hargrave, being first duly sworn, states as follows:

1. I am an attorney with the law firm of Kelley, Drye & Warren, LLP, 1200 19<sup>th</sup> Street, N.W., Suite 500, Washington, D.C. 20036.
2. I am a member in good standing and admitted to practice law before the Bar of the District of Columbia.
3. I am counsel to NewSouth Communications Corp. (“NewSouth”); NuVox Communications, Inc. (“NuVox”); KMC Telecom V, Inc. (“KMC V”) and KMC Telecom III LLC (“KMC III”) (collectively, “KMC”); and Xspedius Communications, LLC on behalf of its operating subsidiaries Xspedius Management Co. Switched Services, LLC and Xspedius Management Co. of Lexington, LLC and Xspedius Management Co. of Louisville, LLC (“Xspedius”) (collectively the “Joint Petitioners”).

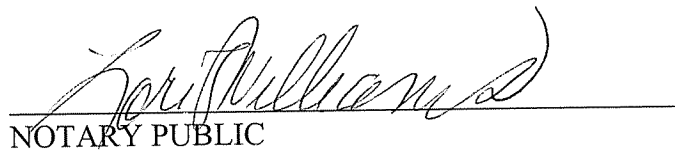
4. I consent to subject myself to the jurisdiction and rules of the Kentucky Supreme Court governing professional conduct, and to the rules and regulations of the Kentucky Public Service Commission.

Further the affiant saith naught.

  
Garret R. Hargrave

DISTRICT OF COLUMBIA      )  
  )      SS:  
  )

Subscribed and sworn to before me by Garret R. Hargrave this 16<sup>th</sup> day of March, 2005.  
My Commission Expires: My Commission Expires March 31, 2005

  
NOTARY PUBLIC