



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

RECEIVED

MAR 17 2004

PUBLIC SERVICE
COMMISSION

VIA HAND DELIVERY

March 17, 2004

Thomas M. Dorman
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, Kentucky 40601

Re: Level 3 Communications, LLC's Petition for Arbitration Pursuant to Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 for Rates, Terms, and Conditions of its Interconnection Agreement with BellSouth Telecommunications, Inc., Case No. 2004-00055

Dear Mr. Dorman:

Enclosed herewith please find for filing with the Commission in the above-styled action the original and ten (10) copies of the Motion Of Level 3 For A Prehearing Conference And Entry Of A Procedural Schedule. For the convenience of the Commission, we will provide an electronic copy of these documents. A copy of this Motion has been served on counsel for BellSouth Telecommunications, Inc. ("BellSouth") and it is my understanding that BellSouth concurs in the proposed Procedural Schedule.

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

Sincerely,

Holland N. McTyeire V

HNM/jh

Enclosures

cc: Deborah T. Eversole
Dorothy J. Chambers
Richard E. Thayer
Roger A. Briney

RECEIVED

BEFORE THE
KENTUCKY PUBLIC SERVICE COMMISSION

MAR 17 2004

PUBLIC SERVICE
COMMISSION

In Re:	Petition of) LEVEL 3 COMMUNICATIONS, LLC) For Arbitration Pursuant to Section) 252(b) of the Communications Act of) 1934, as amended by the) Telecommunications Act of 1996, for) Rates, Terms, and Conditions of its) Interconnection Agreement with) BellSouth Telecommunications, Inc.)	Docket No. 2004-00055
---------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------

**MOTION OF LEVEL 3 FOR A PREHEARING
CONFERENCE AND ENTRY OF A PROCEDURAL SCHEDULE**

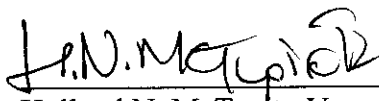
Level 3 Communications, LLC (“Level 3”), by its undersigned attorneys, moves the Kentucky Public Service Commission (“the Commission”) to schedule a Prehearing Conference and adopt a Procedural Schedule. Level 3 has filed Petitions for Arbitration against BellSouth Telecommunications, Inc. (“BellSouth”) in each of the nine states where BellSouth operates. In an attempt to make the hearing of these cases more manageable, Level 3 has proposed a region-wide schedule for these cases to BellSouth. Attached hereto as Exhibit A, is a proposed Procedural Schedule consistent with that region-wide schedule.

Because of the number of cases, and the other significant regulatory proceedings in which this Commission and the parties find themselves in this jurisdiction and others, the proposed Procedural Schedule for this case contemplates that the permissible nine (9) months granted the Commission to act on the Petition filed on February 20, 2004 pursuant to Section 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 (the “Act”), 47 U.S.C. § 252(b) will be exceeded. To remedy this, Level 3 proposes that the parties agree to waive any right to challenge any failure by the Commission to render a decision by June 13,

2004. As noted in the attached Procedural Schedule, the parties will file such a waiver letter by March 31, 2004 along with a Joint Issues Matrix and a proposed Joint Protective Order.

To finalize these procedural issues, Level 3 requests the Commission to convene a telephonic Prehearing Conference. A suggested date of April 2, 2004 is included in the proposed Procedural Schedule.

Respectfully submitted,



Holland N. McTyefre V

GREENEBAUM, DOLL & MCDONALD PLLC
3500 National City Tower
101 South Fifth Street
Louisville, KY 40202-3103
Telephone: (502) 589-4200
Facsimile: (502) 587-3695
E-mail: hnm@gdm.com

Roger A. Briney

DAVIS WRIGHT TREMAINE LLP
1500 K Street, NW, Suite 450
Washington, DC 20005
Telephone: (202) 508-6603
Facsimile: (202) 508-6699
E-mail: rogerbriney@dwt.com

and

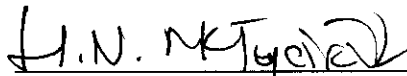
Richard E. Thayer
Director – Intercarrier Policy

LEVEL 3 COMMUNICATIONS, LLC
1025 Eldorado Boulevard
Broomfield, CO 80025
Telephone: (720) 888-2620
Facsimile:
E-mail:

COUNSEL FOR LEVEL 3 COMMUNICATIONS,
LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion Of Level 3 For A Prehearing Conference And Entry Of A Procedural Schedule was served by hand delivery on Dorothy Chambers, counsel for BellSouth Telecommunications, Inc., 601 West Chestnut Street, Louisville, Kentucky 40202, on this 17th day of March, 2004.



COUNSEL FOR LEVEL 3 COMMUNICATIONS,
LLC

Case No. 2004-00055
Proposed Procedural Schedule

3/16/2004	BellSouth Response to Petition
3/17/2004	Motion for Prehearing Conference to Adopt Procedural Schedule
3/31/2004	Submission of Joint Issues Matrix, Joint Letter waiving any right to raise failure to act by KPSC by 270 day deadline and agreed Protective Order
4/2/2004	Telephonic Prehearing Conference
4/12/2004	Discovery commences with exchange of First Data Requests and Interrogatories
5/3/2004	Objections to First Data Requests and Interrogatories
5/11/2004	Responses to Discovery requests due
5/26/2004	Second Data Requests and Interrogatories (if necessary)
6/16/2004	Objections to Discovery Requests and Interrogatories
6/25/2004	Responses to Discovery requests due
7/15/2004	Status Conference to discuss outstanding issues and discovery issues
8/20/2004	Direct Testimony due
8/30-8/31/2004	Depositions (as necessary)
9/7/2004	Rebuttal Testimony due
9/13/2004	Prehearing Briefs due
9/20-9/23/2004	Hearings (last day only if necessary)
10/4/2004	Transcripts available
10/19/2004	Posthearing Briefs due
11/8/2004	Commission Decision