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**RECEIVED**

MAY 25 2004

PUBLIC SERVICE  
COMMISSION

May 25, 2004

**VIA HAND DELIVERY**

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

***Re: In the Matter of: Brandenburg Telephone Company v. Kentucky ALLTEL, Inc., before the Public Service Commission of the Commonwealth of Kentucky, Case No. 2004-00090***

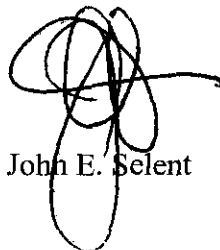
Dear Ms. O'Donnell:

Enclosed for filing in the above-styled case is an original and 11 copies of a Motion to Dismiss and to Vacate Procedural Order of May 21, 2004 on behalf of Brandenburg Telephone Company.

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

Very truly yours,

DINSMORE & SHOHL LLP



John E. Selent

JES/bmt

cc: Amy E. Dougherty, Esq.  
All Parties of Record

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

*In the Matter of:*

MAY 25 2004

BRANDENBURG TELEPHONE COMPANY )

Complainant )

v. )

KENTUCKY ALLTEL, INC. )

Defendant )

PUBLIC SERVICE  
COMMISSION

Case No. 2004-00090

**MOTION TO DISMISS  
AND  
TO VACATE PROCEDURAL ORDER OF MAY 21, 2004**

Brandenburg Telephone Company ("Brandenburg Telephone"), by counsel, hereby moves the Public Service Commission of the Commonwealth of Kentucky (the "Commission") to dismiss this action and to vacate the procedural order entered in this action on May 21, 2004 which, inter alia, schedules an informal conference for June 3, 2004.

As grounds for this motion, Brandenburg Telephone states that the issues presented by this matter have been resolved by the parties.

Wherefore, Brandenburg Telephone respectfully requests the Commission to immediately dismiss this action and to vacate the procedural order entered in this action on May 21, 2004. Brandenburg Telephone notes, again, that the procedural order of May 21, 2004 schedules an informal conference for June 3, 2004.

Respectfully submitted,



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John E. Selent  
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Louisville, KY 40202  
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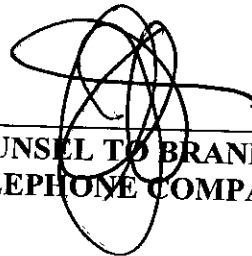
**COUNSEL TO BRANDENBURG  
TELEPHONE COMPANY**

**CERTIFICATE OF SERVICE**

It is hereby serviced that the foregoing was served by mailing a copy of the same by First Class United States mail to the following this 25<sup>th</sup> day of May, 2004.

Stephen B. Rowell  
ALLTEL Communications, Inc.  
One Allied Drive  
P. O. Box 2177  
Little Rock, AR 72202, and to

Gregory Coker  
Kentucky ALLTEL, Inc.  
P.O. Box 1650  
Lexington, KY 40588-1650  
greg.coker@Alltel.com



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**COUNSEL TO BRANDENBURG  
TELEPHONE COMPANY**