Ernie Fletcher Governor

LaJuana S. Wilcher, Secretary Environmental and Public Protection Cabinet

Christopher L. Lilly Commissioner Department of Public Protection



Commonwealth of Kentucky

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Mark David Goss Chairman

> Teresa J. Hill Vice Chairman

Gregory Coker Commissioner

December 16, 2005

PARTIES OF RECORD

Re: Case No. 2005-00519

Case No. 2005-00533

Attached is a copy of the memorandum which is being filed in the record of the above-referenced cases. If you have any comments you would like to make regarding the contents of the informal conference memorandum, please do so within five days of receipt of this letter. If you have any questions, please contact Amy Dougherty at 502/564-3940, Extension 257.

Beth C'Donnell Executive Director

Attachment



INTRA-AGENCY MEMORANDUM

KENTUCKY PUBLIC SERVICE COMMISSION

TO:

The File

FROM:

Amy Dougherty

DATE:

December 16, 2005

SUBJECT:

Case No. 2005-00519

BellSouth Telecommunications, Inc.'s Notice of Intent To Disconnect

SouthEast Telephone, Inc. for Non-Payment

Case No. 2005-00533

SouthEast Telephone, Inc. vs. BellSouth Telecommunications, Inc.

On December 15, 2005, at 10:00 a.m., Eastern Standard Time, a conference call was convened regarding these proceedings. On the call were David Sieradzki for SouthEast Telephone; Dorothy Chambers, Parkey Hagman, Tony Taylor and Jim Tipton for BellSouth; and Amy Dougherty for Commission Staff.

After discussing the background of these cases, both parties agreed that there were no factual issues in dispute. Hence, no informal conference or evidentiary hearing is warranted. The parties stated that legal briefs and, possibly, oral arguments were necessary to present the issues to the Commission. SouthEast Telephone indicated that its legal arguments were contained in its original complaint.

BellSouth asserted that, in the absence of a Commission order mandating otherwise, it will disconnect SouthEast Telephone's access to LENS imminently and will disconnect SouthEast customers by December 29, 2005.

All agreed that the next procedural step should be the issuance of an order from the Commission.