



**BellSouth Telecommunications, Inc.**  
601 W. Chestnut Street  
Room 407  
Louisville, KY 40203

Dorothy.Chambers@BellSouth.com

**Dorothy J. Chambers**  
General Counsel/Kentucky

502 582 8219  
Fax 502 582 1573

December 20, 2005

RECEIVED

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PUBLIC SERVICE  
COMMISSION

Ms. Beth O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
P. O. Box 615  
Frankfort, KY 40602

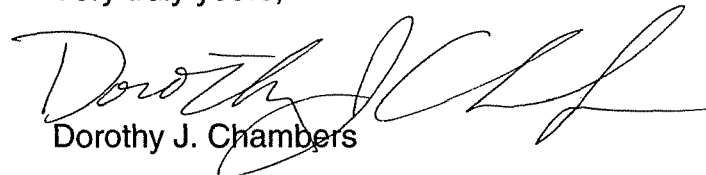
Re: BellSouth Telecommunications, Inc.'s Notice of Intent to Disconnect  
SouthEast Telephone, Inc. for Non-Payment  
PSC 2005-00519

SouthEast Telephone, Inc., Complainant v. BellSouth  
Telecommunications, Inc., Defendant  
PSC 2005-00533

Dear Ms. O'Donnell:

Enclosed for filing in the above-captioned cases is the original and ten (10) copies of BellSouth Telecommunications, Inc.'s Motion to Shorten the Time for Briefing.

Very truly yours,

  
Dorothy J. Chambers

Enclosure

cc: Parties of Record

614771

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS, INC.'S	)	
NOTICE OF INTENT TO DISCONNECT	)	CASE NO.
SOUTHEAST TELEPHONE, INC. FOR NON-	)	2005-00519
PAYMENT	)	
	)	
AND	)	
	)	
SOUTHEAST TELEPHONE, INC.	)	
	)	
COMPLAINANT	)	CASE NO.
	)	2005-00533
VS.	)	
	)	
BELLSOUTH TELECOMMUNICATIONS, INC.	)	
	)	
DEFENDANT	)	

BELLSOUTH TELECOMMUNICATIONS, INC.'S  
MOTION TO SHORTEN THE TIME FOR BRIEFING

BellSouth Telecommunications, Inc. ("BellSouth"), by counsel, respectfully requests that the Commission shorten the time for briefing so that this matter can be considered by the Commission on a more expeditious manner.

The Commission's Order of December 16, 2005, requires that BellSouth continue to provision all functions and services to SouthEast Telephone, Inc. ("SouthEast") during the pendency of this proceeding even though SouthEast has failed to pay over \$1 million in charges owed for resold services SouthEast has ordered. BellSouth believes that the briefing of these legal issues should be accomplished as promptly as possible. This matter arose as a result of SouthEast paying only the unbundled network

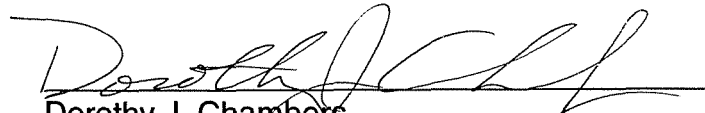
element platform (UNE-P) rate for new orders even though SouthEast has ordered resold services. The material facts are undisputed. BellSouth has provisioned resold services in accordance with the interconnection agreement and BellSouth has billed SouthEast for those resold services at the rates set forth in the interconnection agreement. However, SouthEast is not paying for the services it has ordered at resold rates, but instead is paying at UNE-P rates, which it no longer is able to order for new services. As noted, at present, the difference between the resale and UNE-P rates for the services SouthEast has ordered is over one million dollars. This million dollar figure grows substantially as SouthEast continues to order resold services and pay only the UNE-P rate while this matter is pending.

The Commission's December 16, 2005, Order set BellSouth's answer and brief as due 30 days from the date of that Order and SouthEast's reply brief as due 40 days from the day of the Order. BellSouth respectfully moves the Commission to shorten BellSouth's time for filing its answer and brief to December 30, 2005, and to require that SouthEast's brief be filed ten days thereafter. As noted, BellSouth's request is for **BellSouth** to shorten its briefing time and answer time, which also requires BellSouth to prepare and file its pleadings over the upcoming holiday period. The undersigned counsel has contacted David Sieradzki, counsel for SouthEast and requested SouthEast's concurrence in this proposed revised briefing schedule. BellSouth advised SouthEast that the proposal still allows SouthEast the full ten days following BellSouth's filing of the answer and brief. Nevertheless, counsel for SouthEast refused to agree to this proposed briefing schedule. Mr. Sieradzki stated that he had no known conflict that would prevent him from filing the reply brief within this proposed schedule; Mr. Sieradzki

said his reason for refusing to agree to a shorter briefing time is that it is disadvantageous to SouthEast because SouthEast currently is keeping the disputed money while this matter is pending.

BellSouth believes that SouthEast should have been required to pay its invoices in full while this matter is pending. Moreover, requiring BellSouth to provide resold services at UNE-P rates in essence results in BellSouth being required to provide UNE-P. Because of the apparent conflict between the Commission's December 16, 2005, Order and Judge Hood's April 22, 2005, Order in *BellSouth Telecommunications, Inc., v. Cinergy Communications Co.*, No. 3:05-CV16-JMH (E.D.Ky.), as well as because of the significant and increasing unpaid amount owed by SouthEast to BellSouth, BellSouth respectfully requests, at a minimum, the briefing schedule be amended so that this matter is submitted to the Commission for decision as quickly as possible.

Respectfully submitted,



Dorothy J. Chambers  
601 W. Chestnut Street, Room 407  
P. O. Box 32410  
Louisville, KY 40232

Robert A. Culpepper  
Suite 4300, BellSouth Center  
675 W. Peachtree Street, N.E.  
Atlanta, GA 30309

COUNSEL FOR BELL SOUTH  
TELECOMMUNICATIONS, INC.

**CERTIFICATE OF SERVICE – PSC 2005-00519 AND 2005-00533**


It is hereby certified that a true and correct copy of the foregoing was served on the following individuals by mailing a copy thereof, this 20th day of December 2005.

Darrell Maynard  
SouthEast Telephone, Inc.  
106 Power Drive  
P. O. Box 1001  
Pikeville, KY 41502-1001

Hon. Jonathon N. Amlung  
AMLUNG Law Offices  
616 S. 5th Street  
Louisville, KY 40202

Bethany Bowersock  
SouthEast Telephone, Inc.  
106 Power Drive  
P. O. Box 1001  
Pikeville, KY 41502-1001

Hon. David L. Sieradzki  
Hogan & Hartson, L.L.P.  
555 Thirteenth Street, N.W.  
Washington, DC 20004-1109

  
Dorothy J. Chambers