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MAR 29 2007

PUBLIC SERVICE
COMMISSION

March 26, 2007

Elizabeth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601

Re: **Case No. 2006-00316**
Petition of SouthEast Telephone for Arbitration with BellSouth
Telecommunications

Dear Ms. O'Donnell,

On March 12, 2007, Bluegrass Telephone Company d/b/a Kentucky Telephone ("KTC") filed a letter in the above referenced matter to "provide additional breadth of perspective" on the issue of adjacent off-site "collocation." Windstream Kentucky East, Inc. ("Windstream") files this letter to address two assertions set forth in KTC's letter. First, KTC's claim with respect to off-site "collocation" requested in Windstream's Clarkson exchange is misleading and inconsistent with federal authorities requiring collocation to access unbundled network elements ("UNEs") to be on the ILEC's premises. Second, KTC's letter implies that it is currently accessing UNEs from Windstream through off-site "collocation" in the Leitchfield exchange. KTC has adjacent collocation on Windstream's premises in Leitchfield.

KTC claims that its requested off-site "collocation" in Windstream's Clarkson territory is "similar" to that requested by SouthEast. Windstream makes no claim with respect to the facts of SouthEast's arbitration with BellSouth. However, in Windstream's Clarkson territory, KTC has requested to access UNEs from a pole located outside of Windstream's premises. KTC's request is inconsistent with not only Windstream's tariffs but also with federal authorities which clearly provide that the duty to provide "for physical collocation of equipment necessary for interconnection or access to unbundled network elements" occurs "at the premises of the local exchange carriers." (47 U.S.C. §251(c)(6). Emphasis supplied.) In interpreting this language, the Federal Communications Commission

("FCC") requires that in the case of physical collocation, a requesting carrier such as KTC may "[p]lace its own equipment to be used for interconnection or access to unbundled network elements within or upon an incumbent LEC's premises." (47 C.F.R. 51.5.) Even with adjacent collocation, the FCC requires collocation to be "at the incumbent LEC premises." (47 C.F.R. 51.323(k)(3).) What KTC has proposed in Windstream's Clarkson territory is interconnection at a pole that is located outside of Windstream's premises. Therefore, KTC's request in Clarkson is not collocation in compliance with the FCC's rules.

KTC further asserts that it is providing its own entrance facilities to a Windstream remote terminal in Leitchfield Kentucky and interconnecting with Windstream UNE loops. To be clear, KTC is only authorized in Leitchfield to access Windstream's UNEs through an adjacent collocation site that is located on Windstream's premises. Windstream made this adjacent collocation available to KTC in Leitchfield pursuant to Windstream's tariffs since central office space was exhausted at the time KTC's application was submitted.

We hope that this letter clarifies the statements set forth in KTC's letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Logsdon', with a horizontal line extending to the right.

Daniel E. Logsdon

cc: Douglas F. Brent
Stoll Keenon Ogden PLLC
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500 West Jefferson Street
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