

**Dinsmore & Shohl** LLP  
ATTORNEYS

John E. Selent  
502-540-2315  
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December 12, 2007

RECEIVED

DEC 13 2007

PUBLIC SERVICE  
COMMISSION

**VIA FEDERAL EXPRESS**

Hon. Beth O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40601

Re: *In the Matter of: Brandenburg Telephone Company, et al. v. Windstream  
Kentucky East, Inc., et al., Case No. 2007-00004.*

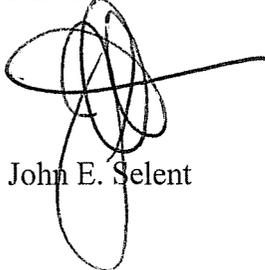
Dear Executive Director O'Donnell:

I have enclosed for filing in the above-styled case the original and eleven (11) copies of the Motion for Extension of Time to Comply with Commission's Order submitted by Brandenburg Telephone Company, Duo County Telephone Cooperative Corporation, Inc., Highland Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative Corporation, Inc., North Central Telephone Cooperative Corporation, South Central Rural Telephone Cooperative Corporation, Inc., and West Kentucky Rural Telephone Cooperative Corporation, Inc.

Please file stamp one of the enclosed copies and return it to us in the enclosed, self addressed stamped envelope.

Very truly yours,

**DINSMORE & SHOHL LLP**



John E. Selent

enclosure

Hon. Beth O'Donnell  
December 12, 2007  
Page 2

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cc: Edward T. Depp, Esq. (without enclosure)  
Holly C. Wallace, Esq. (without enclosure)  
John N. Hughes, Esq. (with enclosure)  
Dennis G. Howard, Esq. (with enclosure)  
Mark R. Overstreet, Esq. (with enclosure)  
Douglas F. Brent, Esq. (with enclosure)  
C. Kent Hatfield, Esq. (with enclosure)  
Kendrick R. Riggs, Esq. (with enclosure)

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**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

**Brandenburg Telephone Company; )  
Duo County Telephone Cooperative )  
Corporation, Inc.; Highland Telephone )  
Cooperative, Inc.; Mountain Rural )  
Telephone Cooperative Corporation, )  
Inc.; North Central Telephone )  
Cooperative Corporation; South )  
Central Rural Telephone Cooperative )  
Corporation, Inc.; and West Kentucky )  
Rural Telephone Cooperative )  
Corporation, Inc. )**

**Complainants**

**v.**

**Windstream Kentucky East, Inc.; )  
Windstream Kentucky West, Inc.; )**

**Defendants**

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DEC 13 2007

PUBLIC SERVICE  
COMMISSION

**Case No. 2007-00004**

**Motion for Extension of Time to Comply with Commission's Order**

Brandenburg Telephone Company, Duo County Telephone Cooperative Corporation, Inc., Highland Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative Corporation, Inc., North Central Telephone Cooperative Corporation, South Central Rural Telephone Cooperative Corporation, Inc., and West Kentucky Rural Telephone Cooperative Corporation, Inc. (collectively, the "RLECs"), by counsel, hereby move for a ten (10) day extension to comply with ordering paragraph 5 of the November 13, 2007 Order (the "Order") of the Public Service of Commission of the Commonwealth of Kentucky (the "Commission"), which requires a response from the RLECs to the allegations of Windstream Kentucky East, Inc. ("Windstream East") filed on November 13, 2007.

In support of their motion, the RLECs hereby state as follows.

1. On November 13, 2007, the Commission issued an Order (the "Order") stating:

4. Within 20 days of the date of this Order, Windstream East shall provide a status report to the Commission. The status report shall contain the following information: (a) details on the alleged outstanding payments owed by each RLEC for tandem transit rates and end office transit rates, for costs accumulated since December 16, 2006; and (b) details on any negotiated agreements reached or pending between the parties regarding local transit traffic services.

5. Within 10 days after Windstream East submits the status report, the RLECs shall provide a response to Windstream East's allegation as to the outstanding payments owed, as referenced above.

The Order, at ¶¶ 4-5.

2. On December 3, 2007, Windstream East filed its response to the Order with the Commission.

3. On December 3, 2007, Windstream East also filed a motion for confidential treatment which requested confidential treatment for Appendices A and B of its response.

4. In order to comply with the Order, the RLECs require access to Appendices A and B, and especially Appendix B (consisting of company-specific outstanding invoice amounts). Without this information, the RLECs cannot provide the Commission with a response to Windstream East's allegations as to the outstanding payments allegedly owed by the RLECs.

See the Order, ¶5.

5. Therefore, the RLECs request a 10 day extension to comply with ordering paragraph 5 of the Order, measured from the date of receipt of Appendices A and B from Windstream East.

6. Counsel to the RLECs have spoken to counsel to Windstream East. He has advised the RLECs that Windstream East does not object to this extension and that access to

Appendices A and B will be provided upon execution of an appropriate confidentiality agreement, which the parties are working to finalize. *See* Ex. 1.

Wherefore, the RLECs respectfully request a 10 day extension, measured from the date following receipt of Appendices A and B, in order to comply with ordering paragraph 5 of the Order.

Respectfully submitted,



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John E. Selett

Edward T. Depp

Holly C. Wallace

**DINSMORE & SHOHL LLP**

1400 PNC Plaza

500 West Jefferson Street

Louisville, Kentucky 40202

(502) 540-2300 (telephone)

(502) 585-2207 (facsimile)

**COUNSEL TO THE RLECs**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by first-class United States mail on this 12<sup>th</sup> day of December, 2007, to the following individual(s):

Mark R. Overstreet, Esq.  
Stites & Harbison PLLC  
421 West Main Street  
P.O. Box 634  
Frankfort, KY 40602-0634

*Counsel to Windstream Kentucky East, Inc.  
and Windstream Kentucky West, Inc.*

Dennis G. Howard, II, Esq.  
Assistant Attorney General  
Office of the Attorney General  
Utility & Rate Intervention Division  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204

John N. Hughes, Esq.  
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*Counsel to Sprint Nextel*

Douglas F. Brent, Esq.  
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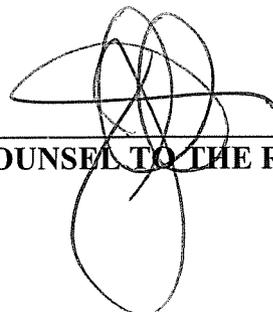
*Counsel to Xspedius Management Co. Switched  
Services, LLC d/b/a Xspedius Communications*

C. Kent Hatfield, Esq.  
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*Counsel to NuVox Communications, Inc.*

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Louisville, KY 40202

*Counsel to T-Mobile USA, Inc.,  
Powertel/Memphis, Inc.  
and T-Mobile Central LLC*

  
\_\_\_\_\_  
**COUNSEL TO THE RLECs**

**Dinsmore & Shohl** LLP  
ATTORNEYS

John E. Selent  
502-540-2315  
john.selent@dinslaw.com

December 12, 2007

**FIRST-CLASS MAIL**

Mark R. Overstreet, Esq.  
Stites & Harbison PLLC  
421 West Main Street  
Post Office Box 634  
Frankfort, Kentucky 40602-0634

Re: *In the Matter of: Brandenburg Telephone Company, et al. v. Windstream  
Kentucky East, Inc., et al., before the Public Service Commission of the  
Commonwealth of Kentucky, Case No. 2007-00004.*

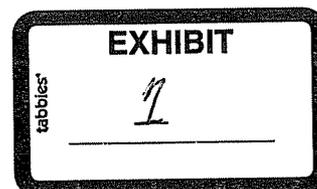
Dear Mark:

The purpose of this letter is to confirm our request for access to Appendices A and B which are the subject of the motion for confidential treatment filed by Windstream Kentucky East, Inc. ("Windstream East") on December 3, 2007 in the above titled matter.

As we have advised you, in order to comply with the November 13, 2007 Order from the Public Service Commission of the Commonwealth of Kentucky (the "Commission") our clients require access to these Appendices, and especially Appendix B.

We have received Windstream's proposed Information Exchange and Non-Disclosure Agreement and are in the process of reviewing it so that we can finalize it and gain access to Appendices A and B.

Finally, per our conversation on Friday, December 7, 2007, you have indicated that you would not object to any motion for extension of time that we may file in order to comply with the Commission's order of November 13, 2007, so long as the extension is reasonable. (We intend to ask for 10 days from the date Windstream East provides access to Appendices A and B.)



1400 PNC Plaza, 500 West Jefferson Street Louisville, KY 40202  
502.540.2300 502.585.2207 fax www.dinslaw.com

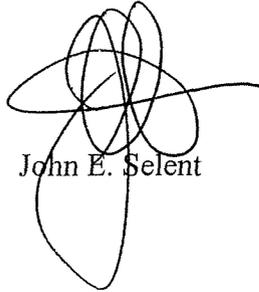
Mark R. Overstreet  
December 12, 2007  
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Thank you and I will get back with you shortly about the Information Exchange and Non-Disclosure Agreement.

Very truly yours,

**DINSMORE & SHOHL LLP**



John E. Selent

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