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December 7, 2009

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PUBLIC SERVICE COMMISSION

VIA OVERNIGHT MAIL

Mr. Jeff Derouen Executive Director Public Service Commission 211 Sower Boulevard P.O. Box 615 Frankfort, KY 40602

> Re: SouthEast Telephone, Inc., Complainant v. BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky, Defendant KPSC 2008-00279

Dear Mr. Derouen:

Enclosed for filing in the above-referenced case are the original and five (5) copies of Agreed Order to Stay Proceeding in Light of Bankruptcy Filing.

Sincerely,

Mary K. Keyer

Enclosures

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## COMMONWEALTH OF KENTUCKY

## BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTHEAST TELEPHONE INC.	)
COMPLAINANT	)
٧.	) CASE NO. 2008-00279
BELLSOUTH TELECOMMUNICATIONS, INC., D/B/A AT&T KENTUCKY	/ ) )
DEFENDANT	)

## AGREED ORDER TO STAY PROCEEDING IN LIGHT OF BANKRUPTCY FILING

On September 28, 2009, SouthEast Telephone, Inc. ("SouthEast Telephone") filed a voluntary chapter 11 bankruptcy petition in the United States Bankruptcy Court for the Eastern District of Kentucky (Case No. 09-70731). In light of this development, on October 9, 2009, SouthEast Telephone and BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky filed with the Public Service Commission of Kentucky ("Commission") an agreed order to stay the above-captioned case and all deadlines for 60 days until December 8, 2009. The Commission entered an order on October 21, 2009, adopting the Parties' agreed order and staying the above-captioned proceeding until December 8, 2009.

SouthEast Telephone's bankruptcy petition is still pending before the Bankruptcy Court, and the Parties have not reached an agreement. The Parties, therefore, have agreed to stay the above-captioned case and all deadlines therein until January 29, 2010. If the parties are unable to reach agreement by that date, either of them may seek further orders of the Bankruptcy Court as to the application of, scope of, and/or relief from the automatic stay of 11 U.S.C.§ 362 and its impact on this action, and the parties expressly reserve all rights in this regard pending further orders of the Bankruptcy Court.

The Commission being so advised, IT IS HEREBY ORDERED that this proceeding is stayed until January 29, 2010.

By the Commission

Agreed To:

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COUNSEL FOR BELLSOUTH TELECOMMUNICATIONS, INC., D/B/A AT&T KENTUCKY

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