

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter Of:

JUN 12 2009

PUBLIC SERVICE
COMMISSION

Insight Phone of Kentucky, LLC)
)
Complainant)
)
v.)
)
Windstream Kentucky East, LLC)
)
and)
)
Windstream Kentucky West, LLC)
)
Defendants)

Case No. 2008-00335

**Response By Windstream Kentucky East, LLC and
Windstream Kentucky West, LLC To “Insight’s
Opposition to Windstream’s Stipulated Facts”**

Windstream Kentucky East, LLC and Windstream Kentucky West, LLC (“Windstream”) state as follows for their Response to “Insight’s Opposition to Windstream’s Stipulated Facts:”

1. Windstream welcomes Insight’s offer to attempt to reach agreement on stipulations that may allow the parties and the Commission avoid a hearing in this matter.

2. Insight’s statement that “Windstream has never provided Insight any response other than a blanket opposition even though Windstream has now had Insight Stipulated Facts since April 14, 2009” is inaccurate. Insight Opposition at 1. In fact, Windstream provided the parties with its proposed stipulations on May 21, 2009. Far from being a “blanket opposition,” many of the proposed stipulations were taken from Insight’s pleadings in this matter. *See*, Windstream Kentucky East, LLC and Windstream Kentucky West, LLC Proposed Stipulations

(filed June 5, 2009).¹ Indeed, Insight as much as concedes Windstream's proposed stipulations were not a "blanket opposition" on the very next page of its Opposition: "Windstream's facts include some of Insight's facts;" and "Windstream's paragraph 8 is the same as Insight's paragraph 8." Opposition at 2.

Wherefore, Windstream Kentucky East, LLC and Windstream Kentucky West, LLC respectfully request the parties be granted an opportunity to reach agreement on the facts to be stipulated to in this matter.

Respectfully Submitted,

By: 

Mark R. Overstreet
STITES & HARBISON PLLC
421 West Main Street
P.O. Box 634
Frankfort, Kentucky 40602-0634
(502) 223-3477

COUNSEL FOR WINDSTREAM KENTUCKY EAST,
LLC AND WINDSTREAM KENTUCKY WEST, LLC

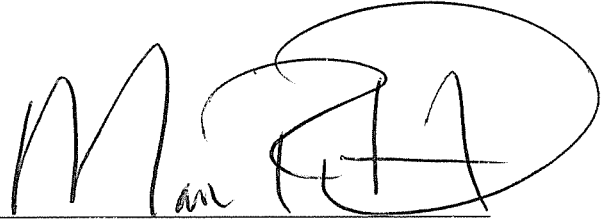
¹ As indicated in Windstream's June 5, 2009 transmittal letter, the proposed stipulations filed with the Commission on June 5, 2009, although differently formatted, were mailed to the parties on May 21, 2009.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by United States First Class Mail, postage prepaid, and e-mail transmission on this 12th day of June, 2009 upon:

Lawrence J. Zielke
Janice M. Theriot
Zielke Law Firm, PLLC
1250 Meidinger Tower
462 South Fourth Street
Louisville, Kentucky 40202-3465

Douglas F. Brent
Stoll, Keenon & Ogden PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202

A handwritten signature in black ink, appearing to read "Mark R. Overstreet", is written over a horizontal line. The signature is stylized and somewhat cursive.

Mark R. Overstreet