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Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
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David L. Armstrong  
Chairman

James W. Gardner  
Vice Chairman

Charles R. Borders  
Commissioner

September 3, 2009

## PARTIES OF RECORD

Re: Case No. 2009-00058

Attached is a copy of the memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the informal conference memorandum, please do so within five days of receipt of this letter. If you have any questions, please contact Allyson Honaker at 502/564-3940, extension 265, or by e-mail at [Allyson.Honaker@ky.gov](mailto:Allyson.Honaker@ky.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen  
Executive Director

AH/ew

Attachment

## INTRA-AGENCY MEMORANDUM

### KENTUCKY PUBLIC SERVICE COMMISSION

**TO:** Case File

**FROM:** Allyson Honaker  
Staff Attorney

**DATE:** September 3, 2009

**SUBJECT:** Case No. 2009-00058  
Informal Conference

Pursuant to the Commission Order issued on July 17, 2009, an informal conference was held in this matter on August 18, 2009. Present for the conference were: Mr. Ben Riddle, counsel for the complainant, TeraBlue, Inc. ("TeraBlue"); Mark Overstreet, counsel for Windstream Kentucky East, LLC ("Windstream"); and Commission Staff. Participating via telephone for Windstream were Dan Logsdon, Joyce Latham, Sara Goodman, Lori Powers and Vicki Tompkins and, for TeraBlue, James Risner.

The purpose of the conference was to discuss the issues left to be resolved in the case.

Mark Overstreet stated that the only issue remaining, assuming that TeraBlue is reinstated by the Commission, is the issue of the amount of an additional deposit to be paid to Windstream by TeraBlue. He stated that the amount Windstream believes is needed as an additional deposit is \$13,432.55, which he stated is based on Windstream's records of a poor payment history on TeraBlue's accounts, including the accounts that have not had any amounts in dispute. He also stated that Windstream is willing to negotiate with TeraBlue in determining the deposit amount.

Ben Riddle stated that he believes the deposit amount is the only remaining issue in the case. He stated that TeraBlue feels that no additional deposit is required and that the poor payment history is only over disputed amounts. However, he did state that TeraBlue is willing to negotiate this issue with Windstream because TeraBlue would like to be able to continue to do business with Windstream.

Both parties agreed to informal discovery as it relates to the records regarding the payment history. The parties will submit a joint status report to the Commission by September 30, 2009 and state whether a procedural schedule needs to be developed in this matter.

The conference was then adjourned.

Attachment

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CASE NO. 2009-00058

TERA BLUE, INC. V. WINDSTREAM KENTUCKY EAST, LLC

SIGN IN

August 18, 2009

PERSON	REPRESENTING
<u>Wallyon Honaker</u>	<u>PSC Staff</u>
<u>Mark R. Overstreet</u>	<u>Windstream</u>
<u>Benjamin L. Riddle</u>	<u>Tera Blue</u>
<u>Jim Stevens</u>	<u>PSC</u>
<u>Dan Logsdon</u>	<u>Windstream</u>
<u>Joyce Latham</u>	<u>Windstream</u>
<u>Sara Goodman</u>	<u>Windstream</u>
<u>Lori Powers</u>	<u>Windstream</u>
<u>Vicki Pomplins</u>	<u>Windstream</u>
<u>Kyle Willard</u>	<u>PSC</u>
<u>James Risner</u>	<u>Tera Blue</u>
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