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August 18, 2011

Parties of Record

RE: Case No. 2010-00398

An Investigation into the Intrastate Switched Access Rates of all Kentucky Incumbent and Competitive Local Exchange Carriers

On July 29, 2011, Katherine K. Yunker, on behalf of one or more competitive local exchange carriers that had intervened in this proceeding ("intervenor CLECs"), filed with the Commission titled "Expression of Concern." In the letter, the intervenor CLECs raised a concern regarding the Commissioners attendance during a portion of the "2011 Multi-State Telecom Conference" which is hosted by the Commission, Murray State University, and the Kentucky Telephone Association. Particularly, the intervenor CLECs are concerned that topics covered by the "Regulatory Panel," scheduled from 1:30-2:30 p.m., could address topics that are the subject of this administrative case. Intervenor CLECs assert that because some of the panel members are also parties to the administrative case, it may allow inappropriate *ex parte* communication with the Commission, thus threatening the legitimacy of the administrative case.

In order to address these concerns and avoid the possibility of inappropriate *ex parte* communication, the Commissioners and Commission Staff assigned to the administrative case, will not be present for the "Regulatory Panel" discussion at the conference. The agenda for the Conference has been amended to note this action. The Commission is confident that this is sufficient to avoid *ex parte* contacts.

Sincerely,

Stephanie Bell
Deputy Executive Director

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