

the Commission had jurisdiction over some or all of claims made herein pursuant to KRS Chapter 278² and the effect of an arbitration agreement; and Associates in Dermatology filed a parallel arbitration action asserting the same or similar claims in the event the Commission determined that it did not have jurisdiction over the claims made herein.³ Thus, the Commission finds that it is reasonable to dismiss this matter with prejudice based on the parties settlement but affirmatively states that such dismissal shall have no bearing on the authority of the Commission to address similar claims in the future or to otherwise, on its own motion, investigate any action of AT&T Kentucky to the extent allowed by KRS Chapter 278 or other applicable statutes and regulations.

IT IS THEREFORE ORDERED that:

1. AT&T Kentucky and Associates in Dermatology's motion to dismiss is granted.
2. Associates in Dermatology's complaint and this action is dismissed with prejudice.
3. This Order shall not be construed as making any finding with respect to the Commission's jurisdiction over the substantive claims asserted in this matter or the effect, if any, of the arbitration agreement.
4. This case is closed and removed from the Commission's docket.

² See Order (Ky. PSC Dec. 3, 2019).

³ See Bellsouth Telecommunications, LLC, dba AT&T Kentucky's Supplemental Motion to Dismiss (filed Apr. 24, 2020); Associates in Dermatology's Response to Bellsouth Telecommunications, LLC dba AT&T Kentucky's Supplemental Motion to Dismiss (filed May 1, 2020).

By the Commission



ATTEST:



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