

COMMONWEALTH OF KENTUCKY  
BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

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OCT 10 2014

PUBLIC SERVICE  
COMMISSION

In the Matter of:

Ballard Rural Telephone Cooperative Corp., Inc.,  
et al., Complainants )

vs. )

BellSouth Telecommunications, Inc. d/b/a AT&T )  
Kentucky Defendant and BellSouth )  
Telecommunications, Inc. d/b/a AT&T )  
Kentucky, Third Party Complainant )

vs. )

Halo Wireless, Inc., Third Party Defendant )

Case No. 2011-00199

In the Matter of:

AT&T Corp., Complainant )

vs. )

Mountain Rural Cooperative Corp. and )  
Thacker-Grigsby Telephone Co., Inc., )  
Defendants; )

Case No. 2013-00392

In the Matter of:

South Central Telcom, LLC, Complainant )

vs. )

BellSouth Telecommunications, Inc. d/b/a )  
AT&T Kentucky, Defendant )

Case No. 2006-00448

In the Matter of:

Petition of Cumberland Cellular, Inc. d/b/a Duo )  
County Telecom for Arbitration of Certain Terms )  
and Conditions of Proposed Interconnection )  
Agreement with BellSouth Telecommunications, ) Case No. 2012-00529  
Inc., d/b/a AT&T Kentucky, Pursuant to the )  
Communications Act of 1934, as Amended by the )  
Telecommunications Act of 1996 )

In the Matter of:

Cumberland Cellular, Inc., d/b/a Duo County )  
Telecom, Complainant )  
 )  
v. ) Case No. 2013-00168  
 )  
BellSouth Telecommunications, Inc., d/b/a AT&T )  
Kentucky, Defendant )

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**Joint Motion For Informal Conference**

Ballard Rural Telephone Cooperative Corporation, Inc., Brandenburg Telephone Company, Inc., Duo County Telephone Cooperative Corporation, Inc., Foothills Rural Telephone Cooperative Corporation, Inc., Gearheart Communications Company, Inc. d/b/a Coalfields Telephone Company, Highland Telephone Cooperative, Inc., Logan Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative Corporation, Inc., North Central Telephone Cooperative Corporation, Peoples Rural Telephone Cooperative Corporation, Inc. South Central Rural Telephone Cooperative Corporation, Inc., Thacker-Grigsby Telephone Company, Inc., West Kentucky Rural Telephone Cooperative Corporation., Inc. d/b/a WK&T, South Central Telcom LLC, Cumberland Cellular, Inc., d/b/a Duo County Telecom, North Central Communications, BellSouth Telecommunications, LLC d/b/a AT&T Kentucky ("AT&T

Kentucky”), and AT&T Corp. (collectively the “Movants”) jointly move the Public Service Commission of Kentucky pursuant to 807 KAR 5:001, Section 9(4) for an informal conference to permit the Movants to address any questions Staff may have, and to provide further information requested by Staff, concerning the Settlement Agreement reached by the Movants in the above-styled matters. The Settlement Agreement was tendered to the Commission as **EXHIBIT 1** to the Movants’ October 10, 2014 “Joint Motion to Approve Settlement Agreement and to Dismiss Actions With Prejudice as Settled” that was filed concurrently with this motion. In support of their Joint Motion the Movants state:

1. On October 9, 2014 the Movants entered into a Settlement Agreement that, *inter alia*, settles five actions<sup>1</sup> currently pending before the Commission. Concurrently with this motion, the Movants are requesting that the Commission approve the Settlement Agreement without modification, and dismiss the five actions on or before November 1, 2014.

2. 807 KAR 5:001, Section 9(4), provides that upon motion by any party the Commission “may convene a conference in a case for the purpose of considering the possibility of settlement, the simplification or clarification of issues, or any other matter that may aid in the handling and disposition of the case.”

3. The requested settlement conference will enable the parties to address any questions Staff may have concerning the meaning or effect of the Settlement Agreement’s terms, and to clarify and simplify any issues regarding the Settlement Agreement and the requested relief.

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<sup>1</sup> The proceedings that are being settled are: Case No. 2006-00448; Case No. 2011-00199; Case No. 2012-00529; Case No. 2013-00168; Case No. 2013-00392.


4. Consistent with the procedure followed by the Commission in Case No. 10064,<sup>2</sup> all discussions should be treated as confidential and not introduced in evidence in any proceeding. Further, as provided for by 807 KAR 5:001, Section 9(4), attendance at the informal conference should be limited to the parties<sup>3</sup> and their representatives.

**WHEREFORE**, the Movants respectfully and jointly request that the Public Service Commission of Kentucky enter an Order:

(a) Scheduling an informal conference at the Commission's earliest convenience and within a time frame sufficient to permit consideration of the Settlement Agreement on or before November 1, 2014; and

(b) Granting the Movants all further relief to which they may appear entitled.

Respectfully submitted,

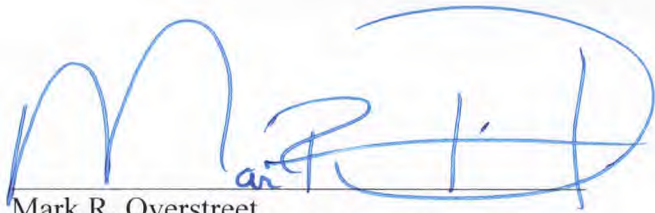
  
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*per e-mail authorization*

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<sup>2</sup> Order, *In the Matter of: Adjustment Of Gas And Electric Rates Of Louisville Gas And Electric Company*, Case No. 10064 (Ky. P.S.C. March 4, 1988).

<sup>3</sup> Halo Wireless, Inc. ("Halo") is a third-party defendant to this action. It has not participated in the proceedings before the Commission other than to file a notice of removal. Halo is not a party to the Settlement Agreement and its participation is neither necessary nor desirable for a full and frank discussion of the Settlement Agreement.



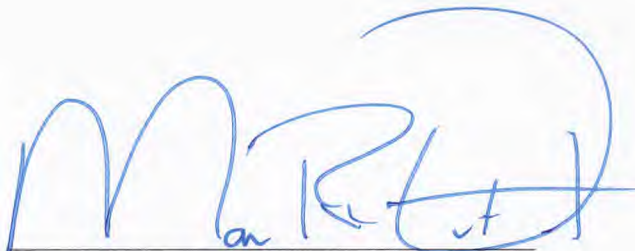
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by U.S. mail this 10<sup>th</sup> day of October, 2014, on the following individuals:

**HALO WIRELESS, INC.:**

Linda Payne  
Chapter 7 Bankruptcy Trustee  
Halo Wireless, Inc.  
12770 Colt Road, Suite 541  
Dallas, Texas 75251  
[linda@paynetrustee.com](mailto:linda@paynetrustee.com)



*Counsel to AT&T Kentucky*