

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION BY E.SPIRE COMMUNICATIONS,)	
INC. AND AMERICAN COMMUNICATION)	
SERVICES OF LEXINGTON, INC. AND)	
AMERICAN COMMUNICATION SERVICES)	
OF LOUISVILLE, INC. FOR ARBITRATION)	CASE NO. 98-619
OF AN INTERCONNECTION AGREEMENT)	
WITH BELL SOUTH TELECOMMUNICATIONS,)	
INC. PURSUANT TO SECTION 252(b) OF THE)	
TELECOMMUNICATIONS ACT OF 1996)	

O R D E R

On May 18, 1999, e.spire Communications, Inc. ("e.spire") filed a petition to withdraw its request for arbitration.

On April 15, 1999, e.spire and BellSouth Telecommunications, Inc. ("BellSouth") entered into an agreement to settle their arbitration proceedings in Kentucky, as well as in Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Tennessee. The agreement of April 15, 1999 is the fourth amendment to their interconnection agreement of July 25, 1996.¹ The fourth amendment has been filed with this Commission by BellSouth and is pending approval.

The April 15, 1999 fourth amendment contains a provision to extend the parties' interconnection agreement, as amended, from September 1, 1996 to December 31, 1999, in exchange for the withdrawal by e.spire of its petition for arbitration in Kentucky.

¹ Case No. 96-382, *Approval of the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and e.spire Communications, Inc.*

The Commission, having considered the motion and having been otherwise sufficiently advised, HEREBY ORDERS that the motion of e.spire to withdraw its petition for arbitration with BellSouth is hereby granted.

Done at Frankfort, Kentucky, this 8th day of June, 1999.

By the Commission

ATTEST:

Executive Director