

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION BY ICG TELECOM GROUP, INC.)	
FOR ARBITRATION OF AN INTERCONNECTION)	
AGREEMENT WITH BELLSOUTH)	CASE NO.
TELECOMMUNICATIONS, INC.)	99-218
PURSUANT TO SECTION 252(b) OF THE)	
TELECOMMUNICATIONS ACT OF 1996)	

O R D E R

The parties have advised the Commission that they mutually agreed to extend review of the arbitration petition to eight weeks after the Commission's scheduled public hearing. Thus, review of this petition and response thereto will conclude by no later than January 27, 2000. The following guidelines and procedural schedule shall apply to this proceeding.

The parties are notified that, when they essentially have agreed as to a particular issue, but they have not been able to agree as to the precise language to express the agreement, the Commission will not hear argument on the issue in this proceeding. Reduction of the proposed agreement to writing is the responsibility of the parties. Each party may submit its proposed version of the contract term in its best and final offer, which shall be submitted not later than 20 days after the hearing.

In addition, although the Commission is not bound by the technical rules of legal evidence, KRS 278.310, the parties hereto are hereby put on notice that cumulative, repetitive, and irrelevant evidence will not be heard in the formal hearing on this matter. Opening and closing statements will not be heard. In addition, unless special leave is

granted, all direct testimony shall be prefiled. All testimony at the formal hearing shall be offered pursuant to cross-examination or redirect examination.

IT IS THEREFORE ORDERED that:

1. A formal hearing in this matter is scheduled for December 2, 1999, at 9:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

2. Data requests of each party, if any, shall be submitted by September 29, 1999.

3. Responses to the data requests shall be filed by October 12, 1999.

4. Unless previously filed into the record, relevant cost studies, including workpapers, and any other documents and information necessary to resolve outstanding issues shall accompany the prefiled direct testimony of all witnesses, which shall be filed by October 21, 1999.

5. Rebuttal testimony, if any, shall be filed by November 19, 1999.

6. Any agreed-upon portions of the parties' contract which have not already been filed also shall be filed by November 19, 1999.

7. Not later than 20 days after the adjournment of the hearing, each party shall submit, in contract form, its best and final offers on each disputed issue. Any accompanying written explanation of continuing disagreement on a specific issue shall be as concise as possible.

Done at Frankfort, Kentucky, this 23rd day of September, 1999.

By the Commission

ATTEST:

Executive Director