

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AMERICAN COMMUNICATIONS SERVICES OF)	
LOUISVILLE, INC. D/B/A e.spire COMMUNICATIONS, INC.,))	
AMERICAN COMMUNICATIONS SERVICES OF)	
LEXINGTON, INC. D/B/A e.spire COMMUNICATIONS, INC.,))	
ALEC, INC., AND HYPERION COMMUNICATIONS OF)	
LOUISVILLE, INC. F/K/A LOUISVILLE LIGHTWAVE)	
)	
COMPLAINANTS)	CASE NO.
)	98-212
)	
V.)	
)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
)	
DEFENDANT)	

O R D E R

On June 8, 2000, BellSouth Telecommunications Inc. ("BellSouth") filed a petition requesting rehearing of the Commission's May 16, 2000 Order. BellSouth argues that the Commission did not address whether the parties to the agreement in question mutually agreed to pay reciprocal compensation. BellSouth also asserts that Hyperion is not entitled to amend its interconnection agreement. Both of these issues were addressed by the Commission's previous Order.

Pursuant to KRS 278.400, a party may, on rehearing, offer "additional evidence that could not with reasonable diligence have been offered on the former hearing." No such evidence is offered here.

Accordingly, the Commission having reviewed BellSouth's petition and the response of Hyperion Telecommunications of Louisville Inc., IT IS HEREBY ORDERED that BellSouth's petition for rehearing is denied.

Done at Frankfort, Kentucky, this 23rd day of June, 2000.

By the Commission

ATTEST:

Deputy W. H. Fowler
Executive Director