

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE DEVELOPMENT OF)	
DEAVERAGED RATES FOR UNBUNDLED)	ADMINISTRATIVE
NETWORK ELEMENTS)	CASE NO. 382

O R D E R

On December 18, 2001, the Commission established unbundled network element (UNE) rates for BellSouth Telecommunications, Inc. (BellSouth). The rates contained in Appendix A to that Order were produced after months of investigation. On January 7, 2002, BellSouth filed a motion for rehearing of one issue, the adjustments made to the loops and combinations based on a Federal Communications Commission (FCC) methodology. The Southeastern Competitive Carriers Association (SECCA) and WorldCom, Inc. (WorldCom) opposed the motion.

BellSouth argues that the adjustments based on the FCC methodology were intended to produce a Zone 1 rate in a reasonable range when compared to the Zone 1 rates from other regional Bell Operating Companies whose applications for in-region, interLATA service authorization, pursuant to 47 U.S.C. § 271, have been approved by the FCC.¹ SECCA and WorldCom respond that BellSouth has not asserted the rates established by the Commission are unreasonable or that the Commission acted arbitrarily.²

¹ Motion for Reconsideration at 3.

² Response to Motion at 5.

BellSouth has not produced any evidence or argument not previously considered by this Commission in its December 18, 2001 Order. In that Order, the Commission found that the prices contained in Appendix A attached to that Order are reasonable, forward-looking, TELRIC-based prices appropriate for BellSouth at this time. Nothing in BellSouth's motion alters that determination. Accordingly, rehearing should be denied.

The Commission, having considered the motion for rehearing and response thereto, and having considered the standard for granting rehearing contained in KRS 278.400, HEREBY ORDERS that BellSouth's motion be denied.

Done at Frankfort, Kentucky, this 25th day of January, 2002.

By the Commission

ATTEST:


Executive Director