

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SPIS.NET)	
)	
)	COMPLAINANT
v.)	CASE NO. 2001-00099
)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
)	
)	DEFENDANT

O R D E R

On May 15, 2002, the Commission dismissed this complaint by Sprint Print, Inc. d/b/a SPIS.net (SPIS.net) against BellSouth Telecommunications, Inc. (BellSouth). On June 6, 2002, SPIS.net and another complainant, Kentucky Bandwidth, Inc. (KBI), filed a motion for reconsideration of the dismissal, asserting that many of their allegations against BellSouth have been inadequately addressed. Prior to our dismissal of this case, it was on our docket for many months during which Complainant failed to ask for a hearing to present an evidentiary case against BellSouth. The written record revealed no basis either for setting such hearing on the Commission s own motion or for further awaiting action from the Complainant. However, the motion for reconsideration offers new argument and, since no previous hearing has been held in this case, justifies reopening the matter to allow BellSouth adequate time to respond to the motion and to permit Complainants to request an evidentiary hearing on issues not previously addressed in the May 15, 2002 Order.

IT IS THEREFORE ORDERED that:

1. The motion of SPIS.net and KBI is granted in part, to the extent that this docket is reopened for the limited purposes described herein.
2. BellSouth shall file a written response to the motion no later than June 21, 2002.
3. If Complainants desire a hearing in this matter, they shall request such hearing no later than July 1, 2002.

Done at Frankfort, Kentucky, this 13th day of June, 2002.

By the Commission

ATTEST:



Executive Director