

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF CINERGY	)	
COMMUNICATIONS COMPANY FOR	)	
ARBITRATION OF AN	)	
INTERCONNECTION AGREEMENT	)	CASE NO. 2001-00432
WITH BELLSOUTH	)	
TELECOMMUNICATIONS, INC.	)	
PURSUANT TO U.S.C. SECTION 252	)	

O R D E R

On October 21, 2002, BellSouth Telecommunications, Inc. ( BellSouth ) and Cinergy Communications Company ( Cinergy ) submitted to the Commission their negotiated interim agreement for interconnection of their networks, the unbundling of specific network elements, collocation, and the resale of BellSouth's services. The agreement was negotiated pursuant to the Telecommunications Act of 1996 ( 1996 Act ), 47 U.S.C. Sections 251 and 252. Its purpose is to enable the parties to continue to operate under the rates, terms, and conditions of their expired agreement and to institute certain rates adopted after their original agreement was signed. Section 252(e) of the 1996 Act requires the parties to an interconnection agreement adopted by negotiation to submit the agreement for approval to the Commission.

The Commission has reviewed the agreement and finds that no portion of the agreement discriminates against a telecommunications carrier not a party to the agreement. The Commission also finds that the implementation of this agreement is consistent with the public interest, convenience, and necessity.

As previously ordered, Cinergy and BellSouth shall file, by November 4, 2002, an agreement memorializing the Commission's decisions in this docket.

The Commission, having been otherwise sufficiently advised, HEREBY ORDERS that:

1. The negotiated agreement between BellSouth and Cinergy is approved.
2. Within 10 days of the date of this Order, BellSouth shall file with the Commission a true and complete copy of the agreement approved herein in Microsoft® Word 97 format on 3.5-inch high-density diskette.

Done at Frankfort, Kentucky, this 31<sup>st</sup> day of October, 2002.

By the Commission

ATTEST:

  
Executive Director