

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TOUCHSTONE, D/B/A ALEC, INC.)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2005-00482
)	
WINDSTREAM KENTUCKY EAST, INC.)	
)	
DEFENDANT)	

O R D E R

A formal hearing was held in this case on April 26, 2007. At the conclusion of the hearing, the Commission's hearing officer inquired as to the possibility of settlement of the complaint. Both parties stated that settlement was possible, and it was agreed that the parties should continue settlement negotiations while the transcript was being prepared. The procedural schedule provided for post-hearing briefs to be filed 45 days after the filing of the transcript. The parties agreed that, in order to facilitate settlement negotiations, after the filing of the transcript, the parties would inform the Commission of the status of the negotiations and whether an extension of time was needed to continue negotiations. In the event settlement was not possible, the Commission would grant an extension of time for the period in which to file briefs to reflect the elapsed time for settlement negotiations. The transcript was filed on May 10, 2007, and the briefs were to be filed no later than June 25, 2007.

On May 23, 2007, Windstream Kentucky East, Inc. ("Windstream"), with the consent of Touchstone, d/b/a ALEC, Inc. ("ALEC"), filed with the Commission a motion requesting that the procedural schedule be extended because the parties have been in productive settlement negotiations. The parties proposed to report back to the Commission on June 1, 2007 regarding the status of their negotiations and requested that the briefing schedule be extended by 11 days. The Commission granted the motion.

On June 4, 2007, Windstream filed an additional status report and motion to extend the briefing schedule. As grounds for its motion, Windstream claims that the parties have reached an agreement in principle on the issue. Windstream proposes to file another status report on July 2, 2007 and requests that the Commission extend the current briefing schedule until 30 days after the revised due date.

Because an agreement in principle has been reached, the Commission finds good cause to grant the motion. IT IS THEREFORE ORDERED that Windstream's motion is granted and the briefing schedule is extended 30 days after July 2, 2007.

Done at Frankfort, Kentucky, this 18th day of June, 2007.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and flourishes, positioned above a horizontal line.

Executive Director