

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS, INC.'S)
NOTICE OF INTENT TO DISCONNECT) CASE NO.
SOUTHEAST TELEPHONE, INC. FOR NON-) 2005-00519
PAYMENT)

AND

SOUTHEAST TELEPHONE, INC.)
)
COMPLAINANT) CASE NO.
) 2005-00533
VS.)
)
BELLSOUTH TELECOMMUNICATIONS, INC.)
)
DEFENDANT)

O R D E R

The Commission herein reopens these matters to address the issue of moneys owed to BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky ("AT&T Kentucky"), if any, by SouthEast Telephone, Inc. ("SouthEast"). This matter was remanded to the Commission in an Opinion and Order of the United States District Court, Eastern District of Kentucky.¹ On November 9, 2007, AT&T Kentucky filed a motion for the issuance of a damages award on an expedited basis. As yet, SouthEast has had insufficient time to respond to this motion.

¹ Opinion and Order, BellSouth Telecommunications, Inc. v. Public Service Commission et al., Civil Action No. 06-65-KKC, United States District Court, Eastern District of Kentucky (September 18, 2007).

In order to address this remand in the most efficient manner possible, the Commission finds that an informal conference is needed to address all matters, including calculation of any moneys due.²

IT IS HEREBY ORDERED that:

1. By November 29, 2007, SouthEast shall file its response to the motion for issuance of a damages award.

2. Both parties shall appear for an informal conference with Commission Staff on December 6, 2007, beginning at 1:30 p.m., Eastern Standard Time, in Conference Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 14th day of November, 2007.

By the Commission

ATTEST:



Executive Director

² The status of two other pending proceedings involving AT&T Kentucky and SouthEast will also be discussed at the informal conference. They are Case No. 2006-00316, Petition of SouthEast Telephone, Inc., for Arbitration of Certain Terms and Conditions of Proposed Agreement with BellSouth Telecommunications, Inc. Concerning Interconnection Under the Telecommunications Act of 1996, and Case No. 2007-00071, SouthEast Telephone, Inc.'s Motion to Compel BellSouth Telecommunications, Inc. to Comply with the Commission's August 16, 2006 Order and BellSouth Telecommunications, Inc.'s Response Thereto.