

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BALLARD RURAL TELEPHONE	)	
COOPERATIVE CORPORATION, INC., ET AL.	)	
	)	
COMPLAINANTS	)	
V.	)	
	)	
BELLSOUTH TELECOMMUNICATIONS, INC.	)	
D/B/A AT&T KENTUCKY	)	
	)	
DEFENDANT	)	
	)	CASE NO.
AND	)	2011-00199
	)	
BELLSOUTH TELECOMMUNICATIONS, INC.	)	
D/B/A AT&T KENTUCKY	)	
	)	
THIRD PARTY COMPLAINANT	)	
V.	)	
	)	
HALO WIRELESS, INC.	)	
	)	
THIRD PARTY DEFENDANT	)	

ORDER

On December 11, 2013, the Commission issued an Order that, *inter alia*, established a revised procedural schedule in this case. On December 17, 2013, the parties to this case, several Rural Local Exchange Carriers<sup>1</sup> and BellSouth

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<sup>1</sup> Ballard Rural Telephone Cooperative Corporation, Inc., Brandenburg Telephone Company, Duo County Telephone Cooperative Corporation, Inc., Foothills Rural Telephone Cooperative, Inc., Gearhart Communications Co., Inc., Highland Telephone Cooperative, Inc., Logan Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative, Inc., North Central Telephone Cooperative Corporation, Peoples Rural Telephone Cooperative, Inc., South Central Rural Telephone Cooperative Corporation, Inc., Thacker-Grigsby Telephone Company, Inc., and West Kentucky Rural Telephone Cooperative Corporation, Inc. (collectively the "RLECs").

Telecommunications, LLC d/b/a AT&T Kentucky ("AT&T Kentucky"), jointly filed with the Commission a motion to extend the procedural schedule and also requested an expedited ruling on their motion. As grounds for their joint motion, the parties state that for approximately three months before the Commission issued the amended procedural schedule, the parties have had several preliminary discussions relating to the potential pursuit of settlement negotiations. The parties state that they have agreed to the terms of a Non-Disclosure Agreement which will govern the future exchange of information between the parties. The parties also state that they have agreed to meet in mid-January and hold a good-faith settlement talk to determine if an agreed negotiated settlement can be reached. The parties further state that the motion to extend the procedural schedule is not made for the purposes of delay, but they believe that it is in the interest of all parties and is the most orderly and efficient manner in which to resolve this matter.

The Commission finds that the parties have shown good cause and that their motion should be granted. The Commission notes, however, that this is the third procedural schedule issued in this case and no further extensions or modifications will be allowed absent a showing of extraordinary circumstances.

Based on the foregoing, IT IS HEREBY ORDERED that:

1. The joint motion of the parties is granted;
  2. The February 4, 2014 formal hearing in this matter is continued generally;
- and
3. The amended procedural schedule set forth in the Appendix to this Order shall be followed in this proceeding.

4. a. All requests for information and responses thereto shall be appropriately bound, tabbed, and indexed and the original and ten copies shall be filed with the Commission, with copies to all parties of record. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order. All responses shall include the name of the witness responsible for responding to questions related to the information provided.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. A party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

4. Any party filing testimony shall file an original and ten copies with the Commission, with copies to all parties of record.

5. At any public hearing in this matter, neither opening statements nor summarization of direct testimony shall be permitted.

6. Any objections or motions relating to discovery or procedural dates shall be filed within four business days' notice or the filing party shall explain, in writing, why such notice was not possible.

7. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

8. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission

ENTERED  
DEC 30 2013  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2011-00199 DATED **DEC 30 2013**

Responses to initial requests for information  
shall be filed no later than .....3/12/2014

Simultaneous direct testimony in verified form  
shall be filed no later than .....4/16/2014

Supplemental requests for information shall  
be filed no later than .....4/30/2014

Responses to supplemental requests for information  
shall be filed no later than .....5/28/2014

Simultaneous rebuttal testimony in verified form  
shall be filed no later than .....6/11/2014

Public Hearing will be held at the  
Commission's offices in Frankfort, Kentucky,  
beginning at 10:00 a.m. Eastern Daylight Time, on ..... To be scheduled

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