

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION CONCERNING THE PROPRIETY)	
OF INTERLATA SERVICES BY BELL SOUTH)	CASE NO.
TELECOMMUNICATIONS, INC., PURSUANT TO)	2001-00105
THE TELECOMMUNICATIONS ACT OF 1996)	

O R D E R

On October 19, 2001, the Commission adopted performance measures, retail analogs, and a penalty plan for BellSouth Telecommunications, Inc. ("BellSouth"). The plan was identical to that adopted by the Georgia Public Service Commission, with the exception of the LNP Disconnect Timeliness measurement.

The October 19, 2001 Order required BellSouth to file a petition for changes to the performance measures in six months. BellSouth requested and received an extension of 60 days, to June 19, 2002, in which to file its petition regarding performance measures. However, on June 19, 2002, BellSouth petitioned and was granted an additional 120-day delay. On October 9, 2002, BellSouth again petitioned for a delay in this review required by the October 19, 2001 Order, in ordering paragraphs 4, 5, and 7.

BellSouth asserts that the performance measures and penalty plans adopted in Georgia are still under review by the Georgia Commission. As this review is ongoing, BellSouth requests that the Kentucky Commission delay its review of the performance

measures until 30 days following the Georgia Commission's final order.¹ The Commission finds that this extension is too indefinite. Therefore, BellSouth shall comply with ordering paragraphs 4, 5, and 7 of the October 19, 2001 Order as mandated herein.

Accordingly, the Commission HEREBY ORDERS that BellSouth's request for a delay in filing its review of performance measures is granted to the extent that BellSouth shall file its review 60 days from the date to which the most recent extension was granted, or 30 days following completion of the Georgia Commission's review, whichever is earlier.

Done at Frankfort, Kentucky, this 11th day of October, 2002.

By the Commission

ATTEST:


Executive Director

¹ BellSouth filed its LNP Disconnect Timeliness data required by ordering paragraph 4 of the October 19, 2001 Order, and continues to request that the penalties associated with this one measure be held in abeyance pending further Commission review.