

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION CONCERNING THE)
PROPRIETY OF INTERLATA SERVICES)
BY BELLSOUTH TELECOMMUNICATIONS,) CASE NO. 2001-105
INC., PURSUANT TO THE)
TELECOMMUNICATIONS ACT OF 1996)

O R D E R

AT&T Communications of the South Central States, Inc. and TCG Ohio, Inc. ("AT&T") has requested that this Commission continue the hearing set to begin October 22, 2001 until after the Federal Communications Commission ("FCC") has issued its decision on BellSouth Telecommunications, Inc.'s ("BellSouth") request for in-region interLATA relief in Georgia and Louisiana. In support of its request, AT&T indicates that BellSouth itself has made a similar request in Tennessee and should therefore accord this Commission the same benefit of knowing the FCC's ruling in sister states that it has afforded the Tennessee Commission. AT&T further predicts that the Kentucky Commission may have to revisit its advisory opinion after the FCC has entered its order in late December 2001 for Georgia and Louisiana. According to AT&T, there would be a great savings of resources for all involved, including the Kentucky Commission, if the Commission delayed this hearing 3 months.

BellSouth responded to AT&T's motion, claiming that it is entitled to determine when it believes it has met the requirements of 47 U.S.C. § 271 and when it will petition the FCC for authorization to provide the interLATA services. Moreover, BellSouth has

indicated that it already has filed its evidence, that it is prepared to present its witnesses for cross-examination beginning October 22, 2001, and that AT&T has presented no reason why it cannot make its case in opposition to BellSouth at the October 22, 2001 hearing. BellSouth also explains that the Tennessee proceeding in which it sought a continuance did not begin until July 30, 2001, unlike Kentucky's, which has been ongoing since December of 1996.

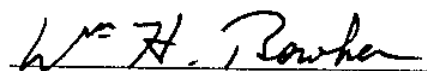
The Commission finds that, as the burden to establish compliance with § 271 is BellSouth's, it is entitled to determine when it wishes to go forward with the hearing.

Having reviewed the motion and response thereto, and having been otherwise sufficiently advised, the Commission HEREBY ORDERS that the motion of AT&T to postpone the hearing to begin October 22, 2001 is denied.

Done at Frankfort, Kentucky, this 15th day of October, 2001.

By the Commission

ATTEST:


Deputy Executive Director