

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REVIEW OF FEDERAL COMMUNICATIONS)
COMMISSION'S TRIENNIAL REVIEW ORDER) CASE NO.
REGARDING UNBUNDLING REQUIREMENTS) 2003-00379
FOR INDIVIDUAL NETWORK ELEMENTS)

ORDER

The Federal Communications Commission ("FCC") released its Triennial Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers¹ ("Triennial Review Order") to be effective October 2, 2003. Those matters pertaining to the FCC's delegation of authority to this Commission to address unbundling obligations with regard to individual network elements will be addressed in this proceeding. Pursuant to the FCC's Order, this Commission's role is a fact-finding role to determine whether impairment exists within Kentucky and within local markets in Kentucky. This proceeding must be concluded within 9 months.

Accordingly, the Commission herein establishes an initial procedural schedule.

IT IS THEREFORE ORDERED that:

1. All incumbent local exchange carriers, all competitive local exchange carriers, all wireless providers, the Attorney General of the Commonwealth of Kentucky,

¹ Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Report and Order and Order on Remand, CC Docket No. 01-00338, Rel. August 21, 2003.

and the Kentucky Cable Telecommunications Association are hereby provided notice of this proceeding by service of this Order. Persons served with this Order who wish to become parties shall send written notice of intervention to the Commission within 10 days of the date of this Order.

2. Initial Data Requests to incumbent local exchange carriers shall be filed by October 10, 2003, with responses due October 31, 2003.


3. An Informal Conference is scheduled for October 14, 2003, beginning at 10:00 a.m., Eastern Daylight Time, in the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

4. By October 24, 2003, BellSouth Telecommunications, Inc., Kentucky ALLTEL, Inc., and Cincinnati Bell Telephone Company shall file any petitions seeking to overcome the national presumption that impairment does exist in the markets addressed in this proceeding.

Done at Frankfort, Kentucky, this 2nd day of October, 2003.

By the Commission

ATTEST:


Deputy Executive Director