

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF BELLSOUTH)	
TELECOMMUNICATIONS, INC. FOR THE)	CASE NO.
ESTABLISHMENT OF A NEW PERFORMANCE)	2004-00391
PLAN)	

O R D E R

On April 26, 2005, the Commission required BellSouth Telecommunications, Inc. ("BellSouth") to file a proposal for implementing independent third-party verification of BellSouth's Kentucky-specific performance plan. In the alternative, BellSouth was required to advise the Commission of its intent to continue with the Georgia performance plan, along with future modifications, as currently required by the Commission.¹ On May 26, 2005, BellSouth notified the Commission of its intent to continue operating under the Georgia performance plan. BellSouth further petitioned the Commission to withdraw its application for a Kentucky-specific performance plan.

The Commission finds that BellSouth's response to the Commission's Order is reasonable. BellSouth should, therefore, continue operating under the Georgia performance plan. The Commission further finds that BellSouth's motion to withdraw its application for a Kentucky-specific performance plan should be granted.

¹ Case No. 2001-00105, Investigation Concerning the Propriety of Provision of InterLATA Services by BellSouth Telecommunications, Inc. Pursuant to the Telecommunications Act of 1996, Order dated May 11, 2004.

IT IS THEREFORE ORDERED that:

1. BellSouth's motion to withdraw its application for a Kentucky-specific performance plan is granted.
2. BellSouth shall continue operating under the Georgia performance plan, as previously ordered by this Commission.
3. This case is dismissed and removed from the Commission's active docket.

Done at Frankfort, Kentucky, this 20th day of June, 2005.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and flourishes, positioned above a horizontal line.

Executive Director