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February 9, 2006

Ms. Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602

Re: Petition to Establish Generic Docket to Consider Amendments to
Interconnection Agreements Resulting from Changes of Law
KPSC 2004-00427

Dear Ms. O'Donnell:

January 26, 2006, the Staff of the Florida Public Service Commission issued the enclosed recommendation on all issues pending in the parallel change of law docket resulting from the Federal Communications Commission's *Triennial Review Remand Order*. On February 7, 2006, the Florida Public Service Commission ("Florida Commission") voted to adopt this recommendation in whole, with the exception of the Staff's recommendation on Issue 13, Commingling. Enclosed for your review is a copy of the Florida Commission's vote sheet on all issues.

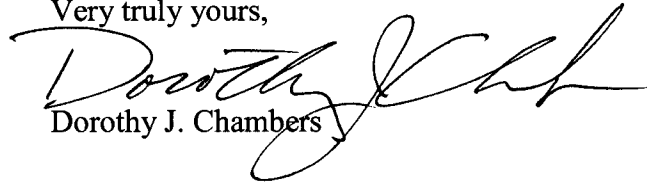
On Issue 13, Commingling, the Florida Public Service Commission declined to adopt Staff's recommendation that BellSouth be required to permit a requesting carrier to commingle certain facilities and services. Instead, the Florida Commission rejected Staff's position on this issue and ordered that BellSouth not be obligated to permit a carrier to commingle certain services and facilities, including those available to CLECs under Section 271 of the Telecommunications Act of 1996 ("the Act") with elements available under Section 251 of the Act.

Regarding Issue 7 relative to § 271 jurisdiction, the Florida Staff concluded that the Florida "Commission does not have authority to require BellSouth to include in § 252 interconnection agreements § 271 elements." Florida Staff Recommendation, p. 78. The Florida Staff reasoned that "although such a finding by this Commission may arguably have a negative impact on CLECs business plans in the short term, staff firmly believes that in the long term, a Commission finding that BellSouth is not required to include § 271 elements in § 252 interconnection agreements, will further bolster the FCC's stated policy of encouraging strong facility-based competitors." Florida Staff

Recommendation, p. 77. Likewise, because the Florida Staff found improper the CLECs request that it order BellSouth to include § 271 elements in § 252 agreements, it concluded that the CLECs request that it set rates for these § 271 elements was moot. As noted above, the Florida Commission voted yesterday to adopt this recommendation and thereby rejected the CLECs' position that state commissions have authority under the federal act to require § 271 elements be included in § 252 agreements.

One paper copy of this filing is providing for filing in case 2004-00427. The attached certification for case 2004-00427 certifies that this filing was filed electronically today and served by email on parties of record. Parties of record can access the information at the Commission's Electronic Filing Center located at <http://psc.ky.gov/efs/efsmain.aspx>.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dorothy J. Chambers", is written over the typed name. The signature is fluid and cursive, with a large initial "D" and a long, sweeping tail.

Dorothy J. Chambers

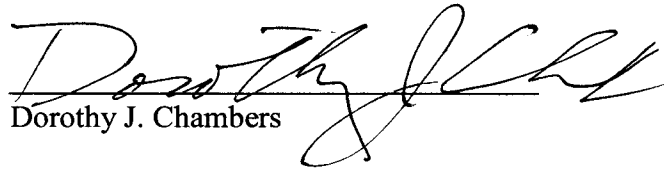
Enclosures

cc: Parties of Record

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CERTIFICATION FOR 2004-00427

I hereby certify that the electronic version of this filing made with the Commission this 9th day of February 2006 is a true and accurate copy of the documents filed herewith in paper form on February 9, 2006, and the electronic version of the filing has been transmitted to the Commission. An electronic copy of the Read1st document has been served electronically on parties.


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