

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

*In the Matter of:*

<b>PETITION OF BELLSOUTH</b>	)	<b>CASE NO.</b>
<b>TELECOMMUNICATIONS, INC. TO</b>	)	<b>2004-00427</b>
<b>ESTABLISH GENERIC DOCKET TO</b>	)	
<b>CONSIDER AMENDMENTS TO</b>	)	<b>(electronic filing)</b>
<b>INTERCONNECTION AGREEMENTS</b>	)	
<b>RESULTING FROM CHANGES OF LAW</b>	)	
	)	

**JOINT DISCOVERY PROPOSAL**

BellSouth Telecommunications, Inc. (“BellSouth”), AT&T Communications of the South Central States, LLC, Cinergy Communications Company, Covad Communications Company, Dialog Communications Inc., and US LEC of Tennessee Inc. (collectively, “Movants”) file the following proposal for the conduct of discovery in this matter for the Commission’s consideration. As grounds therefore, Movants state:

1. In this docket, the Commission will address BellSouth’s generic petition in which it seeks to amend its various interconnection agreements to address recent changes in law.

2. BellSouth has filed a similar petition before the other public service commissions in the other eight (8) BellSouth states. Movants anticipate that these proceedings, including discovery relating to the matters at issue in the various proceedings, will occur simultaneously or very close in time in the numerous jurisdictions. Movants also anticipate that a Prehearing Order, setting out the procedure applicable to this docket, will be issued soon.

3. Therefore, in an attempt to deal expeditiously and efficiently with the conduct of discovery in multiple jurisdictions and to avoid duplication and waste of resources, the Movants have conferred in an attempt to agree on a discovery process that will facilitate the conduct of this docket, as well as the dockets pending in other states. Undersigned counsel for Movants have circulated the proposal to counsel for various carriers who are respondents to BellSouth's petition and are unaware of any objection.

4. To that end, the Movants have agreed on the following discovery parameters which they request that the Commission consider and incorporate in its procedural order in this matter:

a. Discovery in this docket shall begin on June 29, 2005. The last day to issue discovery will be seven (7) calendar days after rebuttal testimony is due.<sup>1</sup>

b. Discovery (of all types) shall be limited to a total (for all BellSouth states) of 30 requests (including subparts) from each carrier to each carrier. A limit of a cumulative total of 200 requests will apply to each carrier.<sup>2</sup>

c. Depositions will be limited to one per witness, with follow up limited to new material.

d. The parties will identify mutually acceptable locations, times and dates for witness depositions.

e. Discovery propounded in one state may be used in other states.

f. Discovery propounded in one state may seek information from another state and a party will not object on that basis.

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<sup>1</sup> In Kentucky, depending on actual deadlines, this would be September 15, 2005.

<sup>2</sup> To illustrate, BellSouth may send 30 requests to carrier A, 30 requests to carrier B, etc. Carrier A may send 30 requests to BellSouth; carrier B may send 30 requests to BellSouth, etc. No entity is obligated to answer more than 200 requests in total region-wide.

g. Objections to discovery requests shall be served within 10 calendar days of service of the request.

h. Discovery answers shall be served within 30 calendar days of service of the request.

i. Any discovery disputes will be resolved in the jurisdiction in which the discovery is served. If a discovery request seeks information for a specific state, any motion to compel that information should be resolved by the Commission in that state, if possible.

j. The parties will attempt to resolve discovery disputes prior to submitting them to the Commission for resolution.

WHEREFORE, Movants request that the Commission incorporate the above discovery procedures, which Movants have negotiated and agreed upon, in the procedural order governing the conduct of this docket.

Respectfully submitted this 19th day of July, 2005

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Joint Discovery Proposal has been filed electronically as permitted by the procedural order governing Case No. 2004-00427 this 19th day of July, 2005.

/s/ Douglas F. Brent  
Douglas F. Brent