

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF BELLSOUTH)	
TELECOMMUNICATIONS, INC. TO ESTABLISH)	CASE NO.
GENERIC DOCKET TO CONSIDER)	2004-00427
AMENDMENTS TO INTERCONNECTION)	
AGREEMENTS RESULTING FROM CHANGES)	
OF LAW)	

INTERIM ORDER

This proceeding was initiated by BellSouth Telecommunications, Inc. ("BellSouth") to consider how to amend parties' interconnection agreements to be consistent with the Federal Communications Commission's ("FCC") Triennial Review Order¹ and Triennial Review Remand Order.²

On November 1, 2004, BellSouth filed its petition to establish a generic docket to consider amendments to interconnection agreements. On November 9, 2004, BellSouth filed proof that it had served 330 competitive local exchange carriers ("CLECs") who may be affected by this proceeding. All CLECs served by BellSouth and

¹ Report and Order and Order on Remand and Further Notice of Proposed Rulemaking, Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, 18 FCC Rcd 16978 (2003), vacated and remanded in part, aff'd in part, United States Telecom Ass'n v. FCC, 359 F.3d 554 (D.C. Cir. 2004).

² Order on Remand, Unbundled Access to Network Elements; Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, WC Docket No. 04-313, CC Docket No. 01-338, FCC 04-290 (FCC rel. Feb. 4, 2005) ("TRRO").

the Attorney General were made parties to this proceeding. A formal hearing occurred on October 11, 2005. Post-hearing briefs were filed by BellSouth, Competitive Carriers of the South, Inc. (“CompSouth”),³ and SouthEast Telephone, Inc.

The Commission anticipates issuing a lengthy order in the near future which will address all testimony presented at the hearing, including some discovery, arguments of counsel, and other appropriate matters of record utilized to decide each pending issue. Moreover, the Commission recognizes the FCC’s 12-month transition plan.⁴ In its order to be issued shortly, the Commission will require applicable pricing determinations to be tried up effective March 11, 2006.

IT IS THEREFORE ORDERED that:

1. The order explaining the Commission’s findings of facts and conclusions of law necessary to amend parties’ interconnection agreements consistent with FCC orders will be issued in the near future.

³ CompSouth’s members participating include Access Point, Inc., Cinergy Communications Company, Dialog Telecommunications, DIECA Communications, Inc., d/b/a Covad Communications Company, IDS Telecom, LLC, InLine, ITC^DeltaCom, LecStar Telecom, Inc., MCI, Momentum Telecom, Inc., Navigator Telecommunications, LLC, Network Telephone Corp., NuVox Communications, Inc., Supra Telecom, Talk America, Trinsic Communications, Inc., and Xspedius Communications, LLC.

⁴ TRRO at ¶¶ 142, 195, 226-228, and 233.

2. Parties shall true up the applicable pricing determinations to March 11, 2006.

Done at Frankfort, Kentucky, this 9th day of March, 2006.

By the Commission

ATTEST:



Executive Director