

John E. Selent  
502-540-2315  
john.selent@dinslaw.com

July 8, 2005

Hon. Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40601

***Re: In the Matter of: Petition of BellSouth Telecommunications, Inc. to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting from Changes of Law, Case No. 2004-00427***

***Re: In the matter of Joint Petition for Arbitration of NewSouth Communications Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC on Behalf of Its Operating Subsidiaries, Xspedius Management Co. Switched Services, LLC, Xspedius Management Co. of Lexington, LLC, and Xspedius Management Co. of Louisville, LLC of an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as Amended; Case No. 2004-00044 before the Public Service Commission of the Commonwealth of Kentucky***

---

Dear Ms. O'Donnell:

NewSouth Communications Corp., NuVox Communications, Inc., (collectively, "NuVox"), Xspedius Communications, LLC on behalf of its operating subsidiaries Xspedius Management Company Switched Services, LLC, Xspedius Management Co. of Lexington, LLC, and Xspedius Management Co. of Louisville, LLC (collectively, "Xspedius") (collectively, "Joint Petitioners") ask the Kentucky Public Service Commission ("Commission") to take official notice of the attached Alabama Public Service Commission ("APSC") Order in Docket No. 29393, dated May 25, 2005, in which the Commission upheld and enforced the Abeyance Agreement entered into by and between Joint Petitioners and BellSouth Telecommunications, Inc. ("BellSouth") by finding that the FCC's *Triennial Review Remand Order* will have no impact as between Joint Petitioners and BellSouth until the parties move into their new interconnection agreements that result from the arbitration of a new interconnection agreement (see pages 17-18 of the attached APSC Order).

Hon. Beth O'Donnell  
July 8, 2005  
Page 2

---

Thank you and if you have any questions with respect to this matter, please call me..

Very truly yours,

DINSMORE & SHOHL LLP

/John E. Selent/

John E. Selent

HCW/rk  
Enclosures

cc: All Parties of Record  
Amy Dougherty