

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

O R D E R

On November 1, 2004, BellSouth Telecommunications, Inc. ("BellSouth") filed a petition to establish a generic docket to consider amendments to interconnection agreements resulting from changes in law. On November 9, 2004, BellSouth filed proof that it had served 330 competitive local exchange carriers ("CLECs") who may be affected by this proceeding. The Commission, on its own motion, grants a deviation from Administrative Regulation 807 KAR 5:001 to permit the submission of documents in electronic medium in lieu of paper medium and to permit the service of all documents upon parties by electronic means.

Having reviewed this request, the Commission finds that:

1. Use of electronic submission and service of documents and pleadings will permit a more efficient and thorough review of BellSouth's application and should reduce the costs associated with such review for all parties.

2. Good cause exists to permit a deviation from the requirements of Administrative Regulation 807 KAR 5:001 to allow the submission and service of documents by electronic means.

3. Procedures should be established for this proceeding to accommodate full participation by any party who objects to the use of document submission and service by electronic means.

IT IS THEREFORE ORDERED that:

1. A deviation from Administrative Regulation 807 KAR 5:001 is granted to BellSouth. Where a conflict exists between the procedures set forth in Administrative Regulation 807 KAR 5:001 and those established in this Order, the parties shall comply with the latter.

2. The Attorney General and all CLECs served by BellSouth and affected by this application are hereby made parties to this proceeding.

3. Unless the Commission requires otherwise, all parties to this proceeding shall, when submitting any pleading or other document in this proceeding, file an original in paper medium and one copy in electronic medium.

4. Any party submitting written testimony in this proceeding shall file with such testimony a notice of filing that lists each witness presenting testimony.

5. All parties shall submit the electronic copy of any pleading or document to the Commission by uploading the document(s) using the Commission's Web Application Portal at https://psc.ky.gov/psc_portal/. All parties shall fully comply with the instructions for electronic transmission and uploading set forth at http://psc.ky.gov/agencies/psc/casfile/filing_instructions_web.pdf.

6. All parties shall make electronic submissions in the following manner:

a. All pleadings, documents and exhibits shall be submitted in portable document format (“PDF”) and be capable of viewing with Adobe® Acrobat® Reader.™

b. All electronic submissions in PDF format shall be search capable and shall be optimized for viewing over the Internet.

c. Any submitted documents that are scanned shall be scanned at a resolution no less than 200 dots per inch (“dpi”) nor greater than 300 dpi.

d. The electronic version of each document shall, where appropriate, be bookmarked to distinguish sections of the document.

e. All requested spreadsheets in electronic submissions shall be in Microsoft® Excel 97 format, shall be self-contained, and shall not contain any linked references to or macro commands involving external files.

f. All electronic submissions shall include an introductory file in PDF format that is named “Read1st” and that contains a general description of the filing, a list of all materials not included in the electronic filing and a statement attesting that the electronically filed documents are a true representation of the original documents. The “Read1st” file and any other document that normally contains a signature shall include a signature in electronic format. The electronic version of the cover letter accompanying the paper filing may be substituted for a general description.

g. All files shall be named in accordance with the naming conventions found at http://psc.ky.gov/agencies/psc/casefile/filing_instructions_web.pdf.

h. If the electronic submission does not include all documents contained in the paper version (e.g., confidential materials; materials that are too large

or bulky to transfer by electronic medium), then the absence of these documents shall be noted in the “Read1st” document.

i. No electronic transmission or uploading session shall exceed 20 files or a total size of 100 megabytes. No individual file shall exceed 5 megabytes. If a party’s submission will exceed these limitations, the party shall make its electronic submission in two or more consecutive electronic transmission or uploading sessions.

j. A party shall, upon completing its electronic submission of documents to the Commission, notify the Commission and all other parties by electronic mail message. This message shall be transmitted to the Commission at pscfilings@ky.gov and to all parties’ designated e-mail addresses, and shall state the nature of the filing, case number, date and time of file(s) transmission, name of the party responsible for the filing, and the name and e-mail address of the person making the electronic filing. It shall also contain, as an attachment, a copy of the “Read1st” file.

k. When submitting documents for which confidential treatment is sought, a party shall:

(1) Submit an original and paper copy and an electronic copy of a petition requesting confidential treatment and setting forth the grounds pursuant to KRS 61.870 upon which the material should be classified as confidential and a copy of the material with those portions for which confidentiality is sought redacted.

(2) Submit a paper copy of the material in question which identifies by underscoring, highlighting with transparent ink, or other reasonable means only those portions which unless deleted would disclose confidential material and a CD-ROM containing an electronic version of such material with highlighting.

6. When filing any document with the Commission, any party participating in this case through electronic means shall certify that:

a. The electronic version of the filing is a true and accurate copy of the document(s) filed in paper medium.

b. The electronic version of the filing has been transmitted to the Commission.

c. The party has, by electronic mail, notified the Commission and the other parties participating in this case by electronic means that the electronic version of the filing has been transmitted to the Commission.

d. The party has sent, in paper medium, a copy of its filing to all parties whom the Commission has excused from participation by electronic means.

7. The Commission's Executive Director shall make all electronic filings available at http://psc.ky.gov/efs/EFS_Search.aspx for public viewing and downloading.

8. Upon a party's receipt of an electronic mail message from another party indicating that an electronic submission has been made to the Commission, it shall be the receiving party's responsibility to access the Commission's electronic file depository at http://psc.ky.gov/efs/EFS_Search.aspx and download a copy of the submission.

9. a. Within 10 days of the date of this Order, BellSouth shall notify the Commission in writing of the e-mail address to which all electronic notices and messages related to this proceeding should be served.

b. Each CLEC made a party herein and the Attorney General shall, within 10 days of entry of this Order, notify the Commission and all other parties of record in writing of the e-mail address to which all electronic notices and messages

related to this proceeding should be served or, in the alternative, shall notify the Commission and all parties in writing of the reasons why it should not be required to participate in this case through electronic means and of the mailing address to which paper copies of pleadings and documents should be sent.

c. If a party objects to participation in this case through electronic means and the Commission determines that good cause exists to excuse that party from participating in this case through electronic means, then service of documents on that party and by that party shall be made in accordance with Administrative Regulation 807 KAR 5:001.

10. Except as provided in paragraph 5k of this Order, when a party files a document or pleading with the Commission for which it has not filed an electronic copy, it shall file with the Commission the original document or pleading and 10 copies.

11. The instructions set forth at http://psc.ky.gov/agencies/psc/casefile/filing_instructions_web.pdf are incorporated by reference into this Order. To the extent that any portion of these instructions conflicts with the provisions of this Order, the provisions of this Order shall control.

12. Any party serving a request for information upon another party to this proceeding shall at the time of service of that request also serve upon that party by electronic mail an electronic copy of its request. The electronic copy shall be in "Rich Text" (RTF) or other editable word processing format.

13. A document shall be considered timely filed with the Commission if it has been successfully transmitted in electronic medium to the Commission within the time allowed for filing. The original document, in paper medium, shall be filed at the

Commission's offices on the next business day following the electronic filing. Parties shall attach to the top of such submission a paper copy of the electronic mail message from the Commission confirming transmission and receipt of its electronic submission.

14. BellSouth, the Attorney General, and each CLEC party shall file, within 10 days of the date of this Order, a statement as to whether it, or its agent, is capable of receiving electronic transmissions, and whether it waives any right to service of Commission Orders by United States mail.

Done at Frankfort, Kentucky, this 8th day of December, 2004.

By the Commission

Commissioner W. Gregory Coker did not participate in the deliberations or decision concerning this case.

ATTEST:

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

Executive Director

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