

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE STATE)
UNIVERSAL SERVICE FUND) CASE NO. 2016-00059

MOTION TO DISMISS


Comes now ALEC, LLC, a Kentucky limited liability company, certificated as a Competitive Local Exchange Carrier in the state of Kentucky ("ALEC") and moves the Kentucky Public Service Commission ("Commission") to dismiss the Requests for Information in the above referenced case. As grounds for this Motion, ALEC represents to the Commission that ALEC owns and operates its own switches for providing wholesale telecom services to its customers. ALEC's tariffed services include single-line residential; single/multi-line business services and local wholesale exchange services such as CENTREX, T-1, DS-1, DS-3, ISDN PRI. Currently, ALEC provides a variety of facilities-based exchange access in Kentucky as a wholesale service to Interconnected VoIP provider(s) and Managed Modem services providers, i.e. Dial up ISP. These wholesale products are mainly inbound termination from the interconnected ILEC/RBOC and limited outbound Tandem/EO termination traffic to same interconnected ILEC/ROBC entities.

Although tariffed, ALEC does not participate in any Lifeline Plans in Kentucky and consequently has made no filings with respect to Lifeline Plans with the Commission, has never filed an FCC Form 497 with the Federal Communication Commission and consequently, has no information with respect to any cost-effective procedures that might be implemented by the

Commission to increase oversight of the Lifeline Program, nor has ALEC submitted any KUSF reimbursement forms to the Commission or the Department of Finance and Administration.

In summary, ALEC contains no information responsive to the Commission's requests numbered one through nine and following thereafter requests numbered one through six found in the above referenced case.

The undersigned, Vice President and General Counsel for ALEC, certifies that this response is true and accurate to the best of his knowledge, information, and belief formed after a reasonable inquiry.



Charles E. Richardson III
Vice President & General Counsel
ALEC, LLC
880 Montclair Road, Suite 400
Birmingham, AL 35213
205.978.4411
rrichardson@momentumtelecom.com

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON)

Charles E. Richardson III, Vice President and General Counsel of ALEC, LLC, did appear before the undersigned on September 14, 2016, and after having been duly sworn, testified that the statements made in the above referenced Motion to Dismiss are true and accurate to the best of his knowledge, information, and belief formed after a reasonable inquiry.



Marissa Leigh Williams, Notary Public

MY COMMISSION EXPIRES APRIL 18, 2019