

Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet



Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

David L. Armstrong  
Chairman

James W. Gardner  
Vice Chairman

Charles R. Borders  
Commissioner

August 19, 2010

Mary K. Keyer  
AT&T Kentucky  
601 W. Chestnut Street  
Room 407  
Louisville, KY 40203

Jacques Ward  
Atlantic.net Broadband, Inc.  
440 Kennedy Blvd.  
Suite 3  
Orlando, FL 32810-6277

Re: Interconnection Agreement Negotiated by AT&T Kentucky and  
Atlantic.net Broadband, Inc.  
PSC Reference No. 00297

Sir/Madam:

This is to notify you that Commission Staff has completed its review of your agreement submitted on July 19, 2010 and has concluded that it is in compliance with federal and state law and with previous Commission orders. Accordingly, it is unnecessary for Staff to refer this matter for formal Commission action. The agreement will be maintained in this office and, pursuant to 47 U.S.C. 252, shall be effective on October 17, 2010.

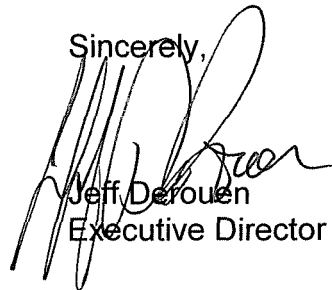
In order to complete the registration process with the Commission, Alternative Phone, Inc. is instructed to complete the included form and submit the information requested. Alternatively, if Alternative Phone, Inc. does not wish to become an active utility at this time in Kentucky, Alternative Phone, Inc. should notify the Commission. All information should be mailed to the address above **within 30 days**. Utilities registered with the Commission are subject to completing Gross Operating Reports and paying assessments pursuant to KRS 278.130 -140.

August 19, 2010  
Page 2

The parties to this agreement are hereby notified that one or more of the issues addressed in the interconnection agreement were addressed in a final order by the U.S. District Court for the Eastern District of Kentucky in Case No. 08-cv-00007 (BellSouth Telecommunications v. Kentucky Public Service Commission). The parties should also note that a portion of the District Court's Order is currently on appeal before the U.S. Court of Appeals for the Sixth Circuit in Case Nos. 10-5310 and 10-5311 (BellSouth Telecommunications v. Kentucky Public Service Commission).

If you have questions regarding this matter, please do not hesitate to contact Donna Wainscott at (502) 564-3940, Extension 252.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen", is written over the typed name and title.

Jeff Derouen  
Executive Director

dw

### **Interexchange Carriers and Competitive Local Exchange Carriers**

Interexchange Carriers ("IXCs") and Competitive Local Exchange Carriers ("CLECs"), intending to provide service in Kentucky and that have not previously filed a notice of intention to provide utility service in this state need only submit a letter to the Commission which contains:

- (1) The name and address of the company;
- (2) Articles of incorporation or partnership agreement;
- (3) Name, street address, telephone number and fax number (if any) of the responsible contact person for customer complaints and regulatory issues;
- (4) A notarized statement by an officer of the utility that the utility has not provided or collected for intrastate service in Kentucky prior to filing the notice of intent or, alternatively, a notarized statement by an officer that the utility has provided intrastate service and that it will refund or credit customer accounts for all monies collected for intrastate service; and
- (5) A statement that the utility does not seek to provide operator assisted services to traffic aggregators as defined in Administrative Case No. 330<sup>1</sup> or, alternatively, that the utility does seek to provide operator-assisted service to traffic aggregators but that in so doing it is complying with the Commission's mandates in Administrative Case No. 330.

### **Updates to this information must also be submitted.**

Tariffs may be provided to the Commission for CLECs and IXCs. Access services and Basic Services as defined by KRS 278.541 are required to be tariffed. The following schedule will determine the effective dates of tariffs.

Initial Tariff containing access services only.....	30 days after filing
Revisions to tariff containing access services.....	15 days after filing
Initial tariff containing basic and nonbasic services.....	Upon the effective date stated in the tariff
Revisions to tariff containing basic and non-basic services.....	Upon the effective date stated in the tariff.

---

<sup>1</sup> Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services, Order Dated March 27, 1991.

KRS 278.544 provides a that telecommunication utilities may file with the commission schedules or tariffs reflecting the rates, terms, and conditions for nonbasic services that are generally available to all subscribers qualifying for the rates, terms, and conditions. The rates, terms, and conditions for basic and nonbasic services shall be valid upon the effective date stated in the schedule.<sup>2</sup> Telephone utilities may provide nonbasic services pursuant to terms and conditions provided to the customer. Telephone utilities shall not be required to file nonbasic contracts with the commission.<sup>3</sup> Telephone utilities that provide services pursuant to this subsection shall provide customers with notice, as part of the terms and conditions of such services, that basic local exchange service and any optional telephone feature on file in a schedule or tariff with the commission may be purchased separately at the price posted on the company's Web site or on file with the commission.<sup>4</sup>

If a company does not provide basic service as defined by KRS 278.541 or Access service and chooses not to file a tariff with the Commission or chooses to withdraw part or all of a tariff on file with the Commission then that utility must notify the Commission of the manner in which it will inform customers and the website at which the prices are posted. **Updates to this information must also be submitted.**

If a tariff for non-basic services is not filed with the Commission, the utility is responsible for maintaining evidence of each customer's applicable service arrangements for the purpose of resolving customer complaints.

---

<sup>2</sup> KRS 278.544 (1)

<sup>3</sup> KRS 278.544 (3)

<sup>4</sup> KRS 278.544 (3)

**Commonwealth of Kentucky  
Public Service Commission**

INFORMATION FORM FOR TELEPHONE UTILITIES OPERATING  
PURSUANT TO KRS 278.541 through 278.544

Complete Name  
of Telephone Utility: \_\_\_\_\_

Physical Address  
of Principal Office: \_\_\_\_\_

Name and Title of  
Person Responsible for  
Answering Consumer  
Complaints: \_\_\_\_\_

Telephone Number of  
Person Responsible for  
Answering Consumer  
Complaints: \_\_\_\_\_

In accordance with KRS 278.542 (2), which requires telephone utilities operating pursuant to 2006 KRS 278.541 through KRS 278.544 to file with the Commission certain information, I, \_\_\_\_\_, on behalf of \_\_\_\_\_ do hereby certify that the foregoing information is true and correct to the best of my knowledge, as of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

UTILITY: \_\_\_\_\_

BY: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing was signed, sworn to and acknowledged before me, the NOTARY PUBLIC, on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_