

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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MCI Communications Services, Inc.)
Bell Atlantic Communications, Inc.)
NYNEX Long Distance Company,)
TTI National, Inc.)
Teleconnect Long Distance Services & Systems)
Company and Verizon Select Services, Inc.)

APR 23 2009
PUBLIC SERVICE
COMMISSION

Case No. 2007-00503

Complainants)

vs.)

Windstream Kentucky West, Inc.)
Windstream Kentucky East, Inc. - Lexington)
and Windstream Kentucky East, Inc. - London)

Defendants

MOTION FOR EXTENSION OF TIME TO RESPOND TO DATA REQUESTS

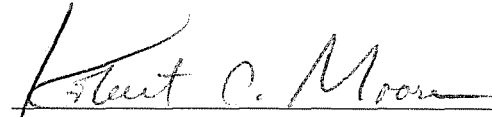
Come Windstream Kentucky West, LLC and Windstream Kentucky East, LLC (collectively "Windstream"), by counsel, and for the reasons set forth below, hereby move the Public Service Commission to grant an extension of time to respond to the Initial Data Requests served upon Windstream in the above-styled matter.

On December 5, 2007, Verizon filed its Petition to Reduce Windstream's Switched Access Charges to initiate the above styled proceeding. On January 17, 2008, Windstream filed its Answer, Motion to Dismiss and Response to Motion to Full Intervention. On March 11, 2009, the Commission issued its Order finding that an investigation into Windstream's switched access rates was necessary and denied Windstream's Motion to Dismiss. The Commission's March 11, 2009 Order also included a procedural schedule stating that initial data requests were to be exchanged between the parties and filed with the Commission no later than March 30, 2009, and the answers to these initial data requests were to be served between the parties and

filed with the Commission no later than April 24, 2009. Thereafter, on March 31, 2009, Windstream filed its Petition on Appeal and/or Original Action for Declaratory Judgment (hereinafter "Petition on Appeal") with the Franklin Circuit Court requesting the Court to enter judgment overturning the decision of the Commission and finding that the Commission does not have subject matter jurisdiction to conduct an investigation into whether Windstream's intrastate switched access rates are not just and reasonable and should be reduced merely to match those of AT&T or at al.

The Commission has filed a Motion to Dismiss Windstream's Petition on Appeal, and said Motion to Dismiss is to be heard by the Franklin Circuit Court on Tuesday, April 27, 2009 at 10:00 am. Accordingly, Windstream hereby requests an extension of twenty (20) days after the Franklin Circuit Court rules on the Commission's Motion to Dismiss within which to serve and file its Answers to the initial data requests. Such an extension of time will enable Windstream to avoid the undue prejudice of having to file discovery answers in a matter to which Windstream has made reasonable jurisdictional challenges as well as the unnecessary expenditure of time and resources in responding to the data requests if the Court rules in its favor. Additionally, such a brief delay will not harm the Complainants. Windstream would not object to the granting of a similar extension of time to the other parties in this action.

Respectfully submitted,




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And

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon Douglas F. Brent and C. Kent Hatfield, Stoll, Keenon Ogden, PLLC, 2000 PNC Plaza, 500 West Jefferson Street, Louisville, Kentucky 40202, Dulaney L. O'Roark III, Vice President and General Counsel - Southern Region, Verizon, 5055 North Point Parkway, Alpharetta, Georgia 30022, John N. Hughes, 124 West Todd Street, Frankfort, Kentucky, 40601 and Mary K. Meyer, General Counsel/AT & T Kentucky, 601 West Chestnut Street, Room 407, Louisville, Kentucky, 40203, by placing same in the U.S. Mail, postage pre-paid, this the 23rd day of April, 2009.



Robert C. Moore