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May 7, 2009

RECEIVED

MAY 08 2009

PUBLIC SERVICE
COMMISSION

Jeff DeRouen
Executive Director
Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, KY 40601

*RE: MCI Communications, Inc. et al v. Windstream Kentucky East, LLC et al
Case No. 2007-00503*

Dear Mr. DeRouen:

The Commission's March 11, 2009 procedural order provides for two rounds of data requests to parties. Verizon and two intervenors responded to initial PSC data requests within the time allowed under the schedule. Windstream was served with copies of those responses. Windstream did not serve data requests and did not respond to data requests served by the Commission and other parties. Instead, even after being reminded of the effectiveness of the March 11 order,¹ Windstream filed an untimely motion for an extension of time, asking the Commission to allow it to both serve and respond to data requests at an undetermined future date.

Since Verizon has not received responses to its initial data requests it will of course be unable to send a second request on the scheduled date of May 8, 2009. Verizon respectfully reserves the right to send a second request at a future date. Verizon will of course respond to any PSC data requests that are served in accordance with the currently effective procedural schedule.

If the Commission is inclined to amend the procedural schedule in response to Windstream's motion, no party should be permitted more than one set of discovery under the new schedule. Windstream alone chose not to comply with the Commission's procedural order and should not be rewarded for that non-compliance.

¹ Letter from Jeff Derouen, Executive Director, to Robert Moore, April 8, 2009.

Jeff DeRouen
May 7, 2009
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Please indicate receipt of this letter by placing your file stamp on the extra copy and returning to me in the enclosed envelope.

Very truly yours,

STOLL KEENON OGDEN PLLC

A handwritten signature in black ink, appearing to read 'DFB', with a long horizontal stroke extending to the right.

Douglas F. Brent

DFB:

cc: Service List