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SEP 25 2009

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE TRAFFIC)	
DISPUTE BETWEEN WINDSTREAM)	
KENTUCKY EAST, LLC, BRANDENBURG)	
TELEPHONE COMPANY AND MCIMETRO)	Case No. 2008-00203
ACCESS TRANSMISSION SERVICES, LLC)	
D/B/A/ VERIZON ACCESS)	

RESPONSE OF WINDSTREAM KENTUCKY EAST, LLC
TO ORDER OF AUGUST 26, 2009

Pursuant to Commission order entered August 26, 2009, Appendix A, Windstream Kentucky East, LLC ("Windstream") hereby files with the Commission the following detailed description of its costs for handling the disputed traffic.

Windstream is owed \$1,565,623 as follows:

\$1,302,944 – Usage at \$0.0045 from Aug-05 to Sept 24, 2009

\$218,784 – Interest on amount due

\$36,299 – Amount due for LNP Queries

\$7,596 – Interest on amount due for LNP Queries

\$1,565,623 - Total Due from August 2005 to September 24, 2009

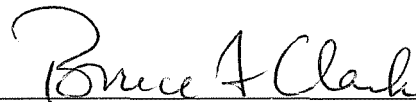
Current average per day is \$291.26 for just the usage.

As noted, Windstream considers Brandenburg to be the principal party responsible for these amounts, as the traffic arises from Brandenburg customers, and Brandenburg is the party that failed to perform the required LNP queries for the applicable an extended period of time and that performed the translations routing at issue in this case. However, Verizon also shares

responsibility because it has benefited from the unauthorized routing of this traffic, and continues to do so, by taking advantage of the unauthorized routing to avoid its responsibility to interconnect with Brandenburg.

Windstream further is attaching hereto discoverable communications per the Commission's request. See Exhibit 1. These communications include some but not all all prior communications by or with the Commission Staff, as such communications are already in its possession.

Respectfully submitted,



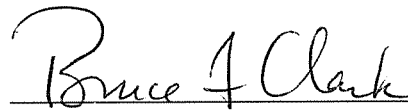
Bruce F. Clark
STITES & HARBISON, PLLC
421 West Main Street
P.O. Box 634
Frankfort, KY 40602-0634
Telephone: (502) 223-3477
COUNSEL FOR WINDSTREAM KENTUCKY
EAST, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served by first class mail on those persons whose names appear below this 25th day of September, 2009.

John E. Selent
Edward T. Depp
Holly C. Wallace
DINSMORE & SHOHL, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202
Counsel to Brandenburg Telephone Company

Douglas F. Brent Esq.
Stoll Keenon Ogden PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202-2874
Counsel to Verizon



Bruce F. Clark

Fuller, Anthony

From: Williams, Steven G
Sent: Wednesday, February 14, 2007 8:34 AM
To: Fuller, Anthony
Subject: Brandenburg

Tony,

Brandenburg has responded with a lackluster effort to correct CLEC traffic on ILEC groups. I want to move on the LNP queries.

Please review the attached spreadsheet of your data that I cut down to include Brandenburg only. Their CLEC trunk groups in Etown will not launch an LNP query. If they can query their CLEC originated traffic, but are sending the Verizon Business (502554) or other traffic over the ILEC group unqueried, I plan to ask why.

Please provide some examples of the heavy volume numbers that we provide LNP queries for their ILEC group. Then see if you can find the same numbers on their CLEC group. CLEC trunk groups are 0112 (IXC Transit) and 0127 (ATC -IntraLATA/Local). ILEC groups are 0403 End Office and 0404 Tandem Pipe.

I would like to email them today. However, this can wait if you are too busy.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com



KY ILEC Usage Study (Jan 20-24 usage dates)

Total Usage on TGs for 4 day period.

OrigOCN	OCNNAME	RecPtlId	Switch	DTGN	OTInd	Calls	MOU
0398	Brandenburg	270769	EZTWKYXADS0	0403	2	33,561	866,528
0398	Brandenburg	270769	EZTWKYXADS0	0404	2	11,247	255,223
							1,121,750

Usage dates Jan 22-24

LNP Dips Performed by Windstream

OrigOCN	OCNNAME	RecPtlId	Switch	DTGN	OTInd	LRNS	Inc	Calls
0398	Brandenburg	270769	EZTWKYXADS0	0403	2	1		12041
0398	Brandenburg	270769	EZTWKYXADS0	0404	2	1		3825
								15,866

\$47.60 0.003 Rate
\$285.59 Monthly

Usage transiting Windstream office to another carrier

OrigOCN	OCNNAME	RecPtlId	Switch	DTGN	OTInd	Calls	MOU	Rate	Revenue
0398	Brandenburg	270769	EZTWKYXADS0	0403	2	12076	786,670	0.003	\$2,360.01
0398	Brandenburg	270769	EZTWKYXADS0	0404	2	3831	218,486	0.003	\$655.46
							1,005,156		\$3,015.47

Est Monthly:
\$18,092.81

CLEC Usage routed to Windstream on ILEC TG

OrigOCN	OCNNAME	RecPtlId	Switch	DTGN	OTInd	Calls	MOU
0398	Brandenburg	270769	EZTWKYXADS0	0403	2	309	512
							512

Fuller, Anthony

From: Williams, Steven G
Sent: Thursday, February 15, 2007 11:25 AM
To: 'troynevitt@bbtel.com'; 'gtlewis@bbtel.com'
Cc: Gilmer, Ted A; Fuller, Anthony
Subject: Brandenburg LNP Query

During a four day audit of traffic in the Elizabeth office, we discovered that Brandenburg Telephone is sending thousands of calls over its ICO trunk groups for calls that do not terminate to Windstream. This is mainly due to the fact that Brandenburg Telephone is not completing LNP queries. Your CLEC originated traffic appears to have already completed the LNP query.

Windstream's Elizabethtown end office completed approximately 12,000 LNP queries, and transited over 866,528 MOU (Minutes Of Use) for calls originated from Brandenburg Telephone.

Since the traffic is intraLATA and your switch is capable, Brandenburg Telephone must complete its own LNP dips, and as the industry standard, route the call based on the LRN.

Brandenburg Telephone needs to complete this work before Friday, February 23, 2007. On Monday, February 26, Windstream will implement the necessary translations changes on the Brandenburg Telephone trunk groups to correct this problem and allow only traffic that has completed the LNP query to terminating to the Windstream Elizabethtown office.

Please contact me if you would like to discuss.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com



Fuller, Anthony

From: Williams, Steven G
Sent: Wednesday, April 04, 2007 7:41 AM
To: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay; Hughes, S Lynn
Cc: Fuller, Anthony; Gilmer, Ted A
Subject: FW: Brandenburg ILEC Trunk. Groups.

FYI.

On Tuesday, April 3, 2007, translation corrections were completed in the Elizabethtown end office. Calls coming in from Brandenburg must have completed an LNP query, for us to complete or route the call.

A side effect of this change on the Brandenburg ILEC trunk groups, is that since the Brandenburg ILEC and CLEC originate from the same switch, their CLEC must also complete the LNP query before routing to Windstream.

Until Tuesday, Windstream was completing approximately 89,200 LNP queries per month for Brandenburg ILEC, with 99% routing to CLEC Verizon Business.

This is a baby step in the right direction. Brandenburg ILEC is still using the Elizabethtown end office as a tandem to Verizon Business and maybe a few other carriers.

Thanks,
Steven

-----Original Message-----

From: Williams, Steven G
Sent: Tuesday, April 03, 2007 3:29 PM
To: 'Randall Bradley'
Subject: RE: Brandenburg ILEC Trunk. Groups.

Randall,

Windstream translator Ted Gilmer worked with George Lewis and Nicholas, and this has been completed. Windstream is receiving the LRN's for locally ported numbers over the Elizabethtown end office trunk groups, and continues to pass the traffic to the carriers.

We appreciate Brandenburg working with us to correct this issue.

Thanks,
Steven

-----Original Message-----

From: Randall Bradley [mailto:rbradley@bbtel.com]
Sent: Wednesday, March 28, 2007 10:55 AM
To: Williams, Steven G
Subject: RE: Brandenburg ILEC Trunk. Groups.

Steven,

Per your last email, I wanted to confirm that if Brandenburg queries these calls there will be no impact on the call completion. With this being the case, Brandenburg will complete the queries by April 3rd. If Brandenburg finds this not to be the case, Brandenburg will not complete these queries.

If you have any questions, please give me a call.

Thanks,
Randall

Fuller, Anthony

From: Fuller, Anthony
Sent: Wednesday, March 28, 2007 4:42 PM
To: Williams, Steven G
Subject: RE: Brandenburg ILEC traffic

Here's a list. There are only a handful with significant volume.

Tony

OrigOCN	DTGN	RecPtd	TermLRN	ToPhone	TLRNSInd	CountOfCat
0398	0403	270769	2702099999	2707630037	1	1
0398	0403	270769	2705051999	2707693347	1	1
0398	0403	270769	2706005761	2707371593	1	1
0398	0403	270769	2707345100	2702344869	1	1
0398	0403	270769	2707345100	2702346675	1	1
0398	0403	270769	2707345100	2707352217	1	1
0398	0403	270769	2707345100	2707353472	1	1
0398	0403	270769	2707345100	2707353510	1	1
0398	0403	270769	2707345100	2707355949	1	1
0398	0403	270769	2707345100	2707356266	1	2
0398	0403	270769	2707345100	2707356555	1	1
0398	0403	270769	2707345100	2707356727	1	1
0398	0403	270769	2707345100	2707632488	1	1
0398	0403	270769	2707345100	2707632527	1	1
0398	0403	270769	2707345100	2707633622	1	1
0398	0403	270769	2707345100	2707633896	1	1
0398	0403	270769	2707345100	2707637530	1	1
0398	0403	270769	2707345100	2707653647	1	1
0398	0403	270769	2707345100	2707658361	1	1
0398	0403	270769	2707345100	2707658495	1	1
0398	0403	270769	2707345100	2707659320	1	1
0398	0403	270769	2707345100	2707662428	1	1
0398	0403	270769	2707345100	2707662468	1	1
0398	0403	270769	2707345100	2707664131	1	1
0398	0403	270769	2707345100	2707668100	1	2
0398	0403	270769	2707345100	2707668958	1	1
0398	0403	270769	2707630046	2707350124	1	1
0398	0403	270769	5023229997	2707653102	1	1
0398	0403	270769	5023229997	2707653105	1	1
0398	0403	270769	5023229997	2707653115	1	3
0398	0403	270769	5023229997	2707653222	1	1
0398	0403	270769	5023229997	2707653263	1	2
0398	0403	270769	5023229997	2707653277	1	1
0398	0403	270769	5025549921	2702341116	1	136
0398	0403	270769	5025549921	2707652701	1	19428
0398	0403	270769	5025549921	2707661633	1	1464
0398	0403	270769	5025549921	2707693330	1	46709
0398	0403	270769	5028714198	2707652212	1	11
0398	0403	270769	5028714198	2707699982	1	1
0398	0404	270769	2707345100	2702344565	1	2
0398	0404	270769	2707345100	2702346671	1	1
0398	0404	270769	2707345100	2707353745	1	1
0398	0404	270769	2707345100	2707353932	1	1
0398	0404	270769	2707345100	2707355372	1	1
0398	0404	270769	2707345100	2707356884	1	1
0398	0404	270769	2707345100	2707659225	1	1
0398	0404	270769	2707345100	2707659830	1	1
0398	0404	270769	2707345100	2707662521	1	1

0398	0404	270769	2707345100	2707662626	1	1
0398	0404	270769	2707345100	2707667047	1	1
0398	0404	270769	2707345100	2707667211	1	1
0398	0404	270769	2707345100	2708623076	1	2
0398	0404	270769	5022910016	2702343011	1	1
0398	0404	270769	5023229997	2707653105	1	14
0398	0404	270769	5025549921	2702341116	1	73
0398	0404	270769	5025549921	2707652701	1	8373
0398	0404	270769	5025549921	2707661633	1	75
0398	0404	270769	5025549921	2707693330	1	12857
0398	0404	270769	5028714198	2707652212	1	2

From: Williams, Steven G
Sent: Wednesday, March 28, 2007 3:49 PM
To: Fuller, Anthony
Subject: RE: Brandenburg ILEC traffic

Tony,

In order to force Brandenburg to complete their own query, we need to know the 10-digit number being dialed. We identified only one Verizon Business number of 270-234-0425.

Would it be possible to identify additional dialed numbers? We need them for Verizon Business going to LRN 502-554-9921, Bluegrass Wireless going to LRN 270-734-5100, AT&T Local going to LRN 502-322-9997, and Level 3 going to LRN 502-871-4198.

Your assistance is appreciated.

Thanks,
Steven

-----Original Message-----

From: Fuller, Anthony
Sent: Tuesday, March 27, 2007 5:02 PM
To: Williams, Steven G
Subject: Brandenburg ILEC traffic

Steven,

Here's approx 1 month's usage terminating to Elizabethtown by Brandenburg. The TLRNSInd = '3' indicates that the call was terminated to us prequeried. The TermLRN on these is Windstream's LRN. The vast majority of the non-Windstream LRN usage is for the same MCI CLEC LRN of '5025549921'.

Tony

OrigOCN	DTGN	RecPtlid	TermLRN	TLRNSInd	Count
0398	0403	270769			5352
0398	0403	270769	2702099999	1	1
0398	0403	270769	2705051999	1	1
0398	0403	270769	2706005761	1	1
0398	0403	270769	2707345100	1	25
0398	0403	270769	2707390075	3	59
0398	0403	270769	2707630046	1	1
0398	0403	270769	2707630046	3	122455
0398	0403	270769	5023229997	1	9
0398	0403	270769	5025549921	1	67737
0398	0403	270769	5028714198	1	12
0398	0404	270769			6241
0398	0404	270769	0000000000	1	2
0398	0404	270769	2707345100	1	15
0398	0404	270769	2707390075	3	42
0398	0404	270769	2707630046	3	37662
0398	0404	270769	5022910016	1	1

0398	0404	270769	5023229997	1	14
0398	0404	270769	5025549921	1	21378
0398	0404	270769	5028714198	1	2

Tony Fuller
Windstream Communications
Wholesale Billing - Staff Manager
Financial Systems / Revenue Assurance
Office: 501-748-5101
Fax: 501-748-5629

*** Please note new e:mail address: anthony.fuller@windstream.com

<< OLE Object: Paintbrush Picture >>

<< OLE Object: Picture (Metafile) >>

Gilmer, Ted A

From: Williams, Steven G
Sent: Thursday, February 15, 2007 7:00 AM
To: 'troynevitt@bbtel.com'
Cc: Gilmer, Ted A
Subject: Brandenburg ILEC Trunk Groups In Elizabethtown

Troy, G.T.,

We have been conducting traffic studies on trunk groups in our Elizabethtown tandem. Our records indicate that Brandenburg has two ILEC trunk groups on the Elizabethtown tandem. One for local Windstream traffic and one for all other NXX's that are home to the Elizabethtown tandem.

Traffic from Brandenburg ILEC to Windstream on trunk group GN056191 with 384 members should only include the Windstream Elizabethtown, Cecilia, and North Hardin NXX's. I have attached a file with those NXX's listed.

Traffic from Brandenburg ILEC to Windstream on trunk group GN056322 with 192 members should be for all other NXX's homed to the Elizabethtown tandem.

We request that Brandenburg verify their routing accordingly. Also, please start sending and receiving 10-digits on these trunk groups.

Your prompt attention to this matter is appreciated. Please let us know when the routing has been verified.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
04-845-7258
leaven.g.williams@windstream.com



From: Williams, Steven G
Sent: Wednesday, February 21, 2007 4:40 PM
To: 'George Lewis'
Cc: Cinpinski, Rich; Wells, Jamey A
Subject: RE: Brandenburg ILEC Trunk. Groups.

George,

As we have discussed, the two existing trunk groups GN056322 and GN056191 are connected to the Radcliff and Elizabethtown end offices.

Since Brandenburg apparently has chosen not to interconnect with the three carriers you mention below, you are sending Windstream the traffic over these end office trunk groups.

I propose that a new trunk group is established to the Elizabethtown tandem. The end office trunk groups appear to be over capacity, and two T1's could be removed from each group.

When the new tandem trunk group is in place, Brandenburg can complete the LNP query, and route the LRN's for the three carriers in question to the Elizabethtown tandem. We will continue to hand the traffic off to the appropriate carrier.

To establish the new tandem trunk group, and move the T1's, the Windstream contact is Jamey Wells. She can be reached at 704-845-7437. She can also help determine the proper capacity and the correct number of T1's to move from each group.

Windstream will continue to transit the Brandenburg originated traffic to these carriers. However, as previously discussed, we cannot continue to take the traffic at the end office.

Please contact me if you would like to discuss further.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

-----Original Message-----

From: George Lewis [mailto:gtlewis@bbtel.com]
Sent: Tuesday, February 20, 2007 2:26 PM
To: Williams, Steven G
Subject: Brandenburg ILEC Trk. Grp.

Steven,

Brandenburg Telephone Company is sending a registered letter to the three companies whose traffic is not being queried and not routing properly. Stating they need to establish trunks with Brandenburg or make arrangements to have traffic delivered correctly based on LNP query. Hope to have this problem resolved quickly.

George Lewis
C.O. Supv.
Brandenburg Tel. Co.
270-351-4466

SELENT, JOHN

From: Randall Bradley [rbradley@bbtel.com]
Sent: Friday, February 23, 2007 10:41 AM
To: SELENT, JOHN
Subject: FW: [Fwd: Brandenburg LNP Query]
Follow Up Flag: Follow up
Flag Status: Red

-----Original Message-----

From: George Lewis [mailto:gtlewis@bbtel.com]
Sent: Wednesday, February 21, 2007 8:14 AM
To: Randall Bradley
Subject: [Fwd: Brandenburg LNP Query]

----- Original Message -----

Subject: Brandenburg LNP Query
Date: Thu, 15 Feb 2007 12:24:44 -0500
From: Williams, Steven G <Steven.G.Williams@windstream.com>
To: <troynevitt@bbtel.com>, <gtlewis@bbtel.com>
CC: Gilmer, Ted A <Ted.A.Gilmer@windstream.com>, Fuller, Anthony
<Anthony.Fuller@windstream.com>

During a four day audit of traffic in the Elizabeth office, we discovered that Brandenburg Telephone is sending thousands of calls over its ICO trunk groups for calls that do not terminate to Windstream. This is mainly due to the fact that Brandenburg Telephone is not completing LNP queries. Your CLEC originated traffic appears to have already completed the LNP query.

Windstream's Elizabethtown end office completed approximately 12,000 LNP queries, and transited over 866,528 MOU (Minutes Of Use) for calls originated from Brandenburg Telephone.

Since the traffic is intraLATA and your switch is capable, Brandenburg Telephone must complete its own LNP dips, and as the industry standard, route the call based on the LRN.

Brandenburg Telephone needs to complete this work before Friday, February 23, 2007. On Monday, February 26, Windstream will implement the necessary translations changes on the Brandenburg Telephone trunk groups to correct this problem and allow only traffic that has completed the LNP query to terminating to the Windstream Elizabethtown office.

Please contact me if you would like to discuss.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

From: Williams, Steven G
Sent: Friday, February 23, 2007 3:43 PM
To: Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel
Cc: Fallon, Kay
Subject: RE: Brandenburg Telephone Company/Windstream

The email they brought forth doesn't mention blocking or not routing calls. It basically says we will stop completing LNP queries. Brandenburg could turn on LNP queries in a matter of minutes, so 10 days was adequate time. I had informed George that Windstream would continue to take and transit the call after they had completed the LNP query and routed the LRN to Elizabethtown.

They did not include the subsequent email from Wednesday, February 21(attached), or a transcript of the telephone conversations I had with George Lewis, the C.O. Supervisor. The second email changed the tone of the first. George had called and informed me that the two trunk groups between Brandenburg ICO and Elizabethtown, were both end office trunk groups for EAS. One carries EAS between Elizabethtown and Radcliff (their host office), and the other carries EAS between Elizabethtown and Cecilia and their Vine Grove exchange (a remote out of Radcliff). Further checking in Windstream ASAP confirmed that the groups do in fact connect to the Elizabethtown DS0 (end office). This changed the perspective of the situation, since Brandenburg ICO does not have a trunk group to our Elizabethtown 02T (tandem).

Allison Willoby called me today. I returned her call after you and I spoke and again confirmed that we had no intention of blocking anything, but emphasized the point that we were simply asking them in the email to complete LNP queries. However, since the realization that the two existing groups are both to the Elizabethtown end office, it would be in our best interest to establish a trunk group to the Elizabethtown tandem.

Wednesday, February 21, a representative of Verizon Business called me and asked about us blocking Brandenburg traffic. I informed him that we had no intention, but were trying to work out other issues. He indicated that Verizon Business had been trying to interconnect with Brandenburg for around two years, but that they would not come to the table. Brandenburg had informed him that we were going to block the Verizon Business traffic, and to call me to work it out. He said that again, Verizon Business and Brandenburg were at an impasse and had walked away from the interconnection negotiation. Thus, I sent the attached email on February 21.

Since the email, I have discussed with Rich Cinpinski in Network Performance and we were planning to call George with Brandenburg today, in order to start the steps to implement a Brandenburg ICO to Elizabethtown tandem trunk group. I even received confirmation from Transport, that enough vacant facilities exists. I received your call before we could call George. The goal is to have them complete the LNP query, and then route the LRN to the Elizabethtown tandem. In previous emails and conversation, I confirmed to George that we would continue to hand off the call to the carriers they did not have interconnection to.

Thanks,
Steven
704-845-7258

STITES & HARBISON_{PLLC}

ATTORNEYS

421 West Main Street
Post Office Box 634
Frankfort, KY 40602-0634
15021 223-3477
15021 223-4124 Fax
www.stites.com

February 23, 2007

VIA E-MAIL

John E. Selent
Dinsmore & Shohl, LLP
500 West Jefferson Street, Suite 1400
PNC Plaza
Louisville, KY 40202-2810

Mark R Overstreet
(502) 209-1219
(502) 223-4387 FAX
moverstreet@stites.com

RE: Brandenburg Telephone Company/Windstream Communications

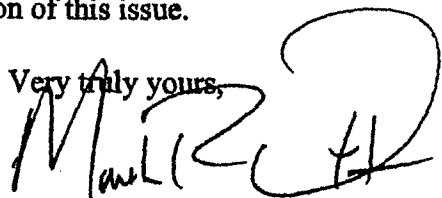
Dear John:

This letter is a follow up to our conversations today regarding Windstream's concerns with Brandenburg regarding LNP queries. As discussed, Windstream will not implement the translation changes on Brandenburg Telephone's trunk groups on February 23, 2007 as indicated in Mr. Williams' February 15, 2007 e-mail to Mr. Nevitt. Windstream will continue working with Brandenburg's operations and trusts that Brandenburg will cooperate in that effort to expeditiously resolve the situation.

It is my understanding this is a long-standing issue and Brandenburg needs to take immediate steps to resolve it. To that end, Windstream requests that Brandenburg promptly work with Windstream to identify a reasonable date by which Brandenburg can commit to resolving the issue.

Although Brandenburg indicated that 10 days was not adequate time, Windstream advises me that Brandenburg can initiate the LNP query function in a matter of minutes. Therefore, Windstream needs to understand Brandenburg's need for a longer period and will work with Brandenburg to bring about prompt resolution of this issue.

Very truly yours,


Mark R. Overstreet

15331:1:FRANKFORT

Dinsmore & Shohl LLP
ATTORNEYS

John E. Selent
502-540-2315
john.selent@dinslaw.com

February 23, 2007

***Via E-Mail: moverstreet@stites.com
and Fax: (502) 223-4124***

Mark R. Overstreet, Esq.
Stites & Harbison, PLLC
421 West Main Street
P.O. Box 634
Frankfort, KY 40602-0634

Re: Brandenburg Telephone Company/Windstream

Dear Mark:

As we discussed this morning, the attached e-mail from Windstream to Brandenburg Telephone Company indicates that on Monday, February 26, after only 10 days notice, Windstream will implement changes such that customers of Brandenburg Telephone Company will not be able to complete calls to customers of competitive local exchange carriers in Elizabethtown, Kentucky.

The situation described in the attached e-mail is long-standing, and will require more than the 10 days that Brandenburg Telephone Company has been given to resolve this issue. Additionally, Brandenburg Telephone Company is working to resolve this issue by negotiating EAS agreements with the appropriate CLEC's. Moreover, the practice that Windstream described in its e-mail is a practice in which Windstream, itself, is or has engaged.

We would therefore request that Windstream not do anything which would impair the ability of Brandenburg Telephone Company customers to call CLEC customers in Elizabethtown. Instead, we ask for the time required to correct this situation. Please advise us immediately that Windstream will not do anything to impair the ability of Brandenburg Telephone Company customers to call CLEC customers in Elizabethtown.

1400 PNC Plaza, 500 West Jefferson Street Louisville, KY 40202
502.540.2300 502.585.2207 fax www.dinslaw.com

Mark R. Overstreet, Esq.
February 23, 2007
Page 2

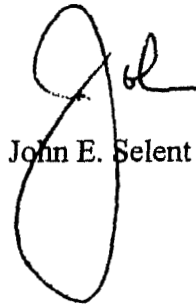
If we do not receive these assurances, in writing, promptly, we will have no choice but to contact the Public Service Commission of the Commonwealth of Kentucky to request the time necessary to address this situation in a satisfactory manner.

Thank you, and if you have any questions with respect to this matter, please call me.

I look forward to hearing from you, promptly, today.

Very truly yours,

DINSMORE & SHOHL LLP

A handwritten signature in black ink, appearing to read "John E. Selent". The signature is stylized, with a large loop for the letter 'J' and a smaller loop for the letter 'S'. The name "John E. Selent" is printed in a serif font directly below the signature.

John E. Selent

JES/bmt
Enclosure

cc: Kentucky Public Service Commission (w/enclosure) *(via fax and Federal Express)*

Fallon, Kay

From: Williams, Steven G
Sent: Thursday, March 22, 2007 1:54 PM
To: Williams, Steven G; 'rbradley@bbtel.com'
Cc: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay
Subject: RE: Brandenburg ILEC Trunk. Groups.

Randell,

Please provide an update to this issue. We are waiting for Brandenburg to work with Windstream to establish the trunk group to the Elizabethtown tandem. Then complete LNP queries on these local calls, and route based on the LRN.

Please have your Traffic engineers contact Jamey Wells at 704-845-7437 to begin this process.

Thanks,
Steven Williams
Staff Manager -- Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

-----Original Message-----

From: Williams, Steven G
Sent: Friday, March 16, 2007 8:45 AM
To: 'rbradley@bbtel.com'
Cc: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay
Subject: RE: Brandenburg ILEC Trunk. Groups.

Randall,

This message is a follow up our conversation Wednesday morning, since you suggested that we put our request in writing. The request had already been conveyed in conversations over the phone and through email starting over three weeks ago.

During a four day audit of traffic in the Elizabethtown office, Windstream discovered that our Elizabethtown end office completed approximately 12,000 LNP queries, and transited over 866,528 MOU (Minutes Of Use) for calls originated from Brandenburg Telephone. The query is being completed at Windstream's Elizabethtown end office and then the call is tandemed to other carriers, contrary to the proper use of the Elizabethtown end office.

Windstream's Elizabethtown end office is not established as, recognized in the industry as, or otherwise to be used as a LATA tandem. Brandenburg is not authorized to use Windstream's end offices to tandem/transit calls. In compliance with the industry standard, Brandenburg is directed to send only traffic to the Elizabethtown end office, that terminates to Windstream in that office. That was the original purpose of these end office trunk groups.

Since the traffic is intraLATA and your switch is capable, Brandenburg Telephone must complete its own LNP dips, and as the industry standard, route the call based on the LRN. As discussed several times over the last four years, we request that Brandenburg work with Windstream to establish a trunk group to the Elizabethtown tandem. The tandem will take the LRN and route the call to the proper carrier.

A traffic study indicates that at least two T1's can be removed from both end office trunk groups, GN056322 and GN056191, and the four T1's used to establish the tandem trunk group. No additional facilities will be required. These changes can be completed now in a matter of minutes.

On the call Wednesday morning, we included our Network Performance engineers so that we could work with your engineers and coordinate these changes. We do not understand why Brandenburg is not willing to accommodate this request, or why Brandenburg wants to delay this error any longer.

A conference call was held August 16, 2002 in which you participated, and this transit issue was discussed. The parties agreed that we were discussing trunking and billing questions from a CLEC perspective. However, since you represent Brandenburg ILEC interests as well as CLEC interests, Brandenburg was well aware of the issue from an ILEC perspective.

And when Dave Kunkler called me on May 28, 2004 with Brandenburg ILEC issues, Windstream agreed to transit the traffic for Brandenburg, but requested that Brandenburg establish direct trunks to the carrier, or to establish a tandem trunk group to the Elizabethtown tandem.

Brandenburg routes CLEC traffic for these carriers through the Elizabethtown tandem. Windstream does not understand why Brandenburg refuses to work with us to route ILEC traffic to the Elizabethtown tandem, and continues to send it to the end office.

Your point about Brandenburg working on contracts with the carriers is not relevant to our request. Windstream requests that Brandenburg work with us on this issue, and establish a tandem trunk group without delaying any longer. Over three weeks have already elapsed since we contacted Brandenburg this time, concerning this issue.

Your prompt attention to this matter is appreciated. Please call to discuss building the tandem trunk group.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

-----Original Message-----

From: Williams, Steven G
Sent: Wednesday, February 21, 2007 5:40 PM
To: 'George Lewis'
Cc: Cinpinski, Rich; Wells, Jamey A
Subject: RE: Brandenburg ILEC Trunk. Groups.

George,

As we have discussed, the two existing trunk groups GN056322 and GN056191 are connected to the Radcliff and Elizabethtown end offices.

Since Brandenburg apparently has chosen not to interconnect with the three carriers you mention below, you are sending Windstream the traffic over these end office trunk groups.

I propose that a new trunk group is established to the Elizabethtown tandem. The end office trunk groups appear to be over capacity, and two T1's could be removed from each group.

When the new tandem trunk group is in place, Brandenburg can complete the LNP query, and route the LRN's for the three carriers in question to the Elizabethtown tandem. We will continue to hand the traffic off to the appropriate carrier.

To establish the new tandem trunk group, and move the T1's, the Windstream contact is Jamey Wells. She can be reached at 704-845-7437. She can also help determine the proper capacity and the correct number of T1's to move from each group.

Windstream will continue to transit the Brandenburg originated traffic to these carriers. However, as previously discussed, we cannot continue to take the traffic at the end office.

Please contact me if you would like to discuss further.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

-----Original Message-----

From: George Lewis [mailto:gtlewis@bbtel.com]
Sent: Tuesday, February 20, 2007 2:26 PM
To: Williams, Steven G
Subject: Brandenburg ILEC Trk. Grp.

Steven,

Brandenburg Telephone Company is sending a registered letter to the three companies whose traffic is not being queried and not routing properly. Stating they need to establish trunks with Brandenburg or make arrangements to have traffic delivered correctly based on LNP query.
Hope to have this problem resolved quickly.

George Lewis
C.O. Supv.
Brandenburg Tel. Co.
270-351-4466

Fallon, Kay

From: Higgins, William T
Sent: Tuesday, June 03, 2008 4:59 PM
To: Smith, Kerry C; Plyler, Christie; Logsdon, Daniel; Wilkinson, Keith; Bennett, Kimberly K; Weeks, Stephen
Cc: Fallon, Kay
Subject: RE: Brandenburg End Office Use
Categories: KY - Brandenburg End Office Issue

All,
Just an FYI
No correction has been made. Calls are still failing.
Todd

-----Original Message-----

From: Smith, Kerry C
Sent: Monday, June 02, 2008 9:15 AM
To: Plyler, Christie; Logsdon, Daniel; Wilkinson, Keith; Bennett, Kimberly K; Higgins, William T; Weeks, Stephen
Cc: Fallon, Kay
Subject: RE: Brandenburg End Office Use

NOC and Call Centers have been notified just in case.

Kerry

-----Original Message-----

From: Plyler, Christie
Sent: Monday, June 02, 2008 8:12 AM
To: Logsdon, Daniel; Wilkinson, Keith; Bennett, Kimberly K; Smith, Kerry C; Higgins, William T; Weeks, Stephen
Cc: Fallon, Kay
Subject: RE: Brandenburg End Office Use

Changes completed 9:02:57.

Christie Plyler

-----Original Message-----

From: Logsdon, Daniel
Sent: Monday, June 02, 2008 8:38 AM
To: Wilkinson, Keith; Bennett, Kimberly K; Smith, Kerry C; Higgins, William T; Weeks, Stephen
Cc: Fallon, Kay; Plyler, Christie
Subject: RE: Brandenburg End Office Use

Will someone call me on my cell phone - 859.221.3770 - and let me know its done.

-----Original Message-----

From: Wilkinson, Keith
Sent: Friday, May 30, 2008 1:31 PM
To: Logsdon, Daniel; Bennett, Kimberly K; Smith, Kerry C; Higgins, William T; Weeks, Stephen
Cc: Fallon, Kay; Plyler, Christie
Subject: RE: Brandenburg End Office Use

Yes. 9:00 AM EST is doable. The prep work has been done.

Keith

-----Original Message-----

From: Logsdon, Daniel
Sent: Friday, May 30, 2008 1:17 PM
To: Wilkinson, Keith; Bennett, Kimberly K; Smith, Kerry C; Higgins, William T; Weeks, Stephen
Cc: Fallon, Kay
Subject: RE: Brandenburg End Office Use

OK

I'll give the go ahead Monday morning - 8am EST time. Is 9am doable with that little lead time?

-----Original Message-----

From: Wilkinson, Keith
Sent: Thursday, May 29, 2008 10:03 AM
To: Bennett, Kimberly K; Smith, Kerry C; Logsdon, Daniel; Higgins, William T; Weeks, Stephen
Cc: Fallon, Kay
Subject: RE: Brandenburg End Office Use

Correct. The trunk groups that will be changed do not provide 911 service.

Keith

BRANDENBURG TELEPHONE COMPANY

200 Telco Drive
PO Box 599
Brandenburg, KY 40108
270-422-2121

July 11, 2007

Stephen Weeks, Director – Wholesale Services
4001 Rodney Parham Rd
1170 B3F03-84A
Little Rock, AR 72212

Subject: Dispute of charges billed under 219DMI0398BDU

Dear Mr. Weeks:

We are in receipt of your two (2) invoices dated May 30, 2007 and June 8, 2007 for “local transit usage and local number portability queries” for a period dated March 6, 2007 – June 5, 2007. As you acknowledge in your May 30, 2007 letter, these charges are being issued to Brandenburg Telephone Company pursuant to a tariff that is currently the subject of a formal complaint before the Kentucky Public Service Commission in Case 2007-00004.

Brandenburg Telephone Company is a party to that complaint and accordingly, that complaint will serve as formal dispute of any and all charges assessed by Windstream to Brandenburg Telephone Company under the previously referenced billing ID. This dispute includes previously billed as well as ongoing charges for “local transit usage and local number portability queries”.

In addition, Brandenburg Telephone Company reserves all rights to further challenge the accuracy of any invoices issued by Windstream outside of the case currently pending before the PSC.

Please refer all questions to me in writing.

Sincerely,



Randall Bradley
Controller

Higgins, William T

From: Fallon, Kay
Sent: Tuesday, May 27, 2008 9:43 AM
To: Higgins, William T
Subject: FW: Brandenburg End Office Use

-----Original Message-----

From: Logsdon, Daniel
Sent: Tue 5/27/2008 10:27 AM
To: Fallon, Kay; Smith, Kerry C
Cc: Weeks, Stephen; Bennett, Kimberly K
Subject: Brandenburg End Office Use

Kay

Steve, Kerry and I just finished a call with Brandenburg regarding payment for their use of our end-office in Etown. They are unwilling to discuss any payment for the use of this facility absent a Commission Order. Further they stated that they do not believe we have any right to charge them for the use of our end office.

Can you please proceed with rerouting of their traffic from our end office in Elizabethtown - I believe it is far in excess of a DS3 level to MCI Metro.

Further, please wait to flip the switch - I will provide you with a "go" email soon.

Thanks
Dan

Daniel Logsdon
Windstream Communications
State Government Affairs - KY and PA
(w) - 859.357.6125
(m) - 859.221.3770



Windstream Communications, Inc.
130 West New Circle Road
Suite 170
Lexington, KY 40505

Daniel E. Logsdon, Jr.
Vice President, State Government Affairs
daniel.logsdon@windstream.com
ofc. 859-357-6125
fax. 859-357-6163

June 2, 2008

Via Hand Delivery
Stephanie Stumbo
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40601

RECEIVED

JUN 03 2008

**PUBLIC SERVICE
COMMISSION**

Dear Director Stumbo:

The purpose of this letter is to provide a courtesy notice to the Commission that as of 9:00 a.m., Monday, June 2, 2008, Windstream Kentucky East, LLC ("Windstream") ceased the misuse of its Elizabethtown end office by Brandenburg Telephone ("Brandenburg" or the "ILEC") to route ISP traffic that otherwise should have been routed through AT&T's Louisville tandem. Further, as Brandenburg is aware, the level of traffic was at a DS3 level (*i.e.*, well in excess of a DS1 level), although Brandenburg did not establish a direct connection for delivery of the traffic. Windstream, to no avail, repeatedly attempted to work with Brandenburg regarding this traffic.

The calls in question arose when Brandenburg's end users accessed the Internet by calling dial-up ISPs served by Verizon Business. The traffic had no impact on local, long-distance, or EAS traffic flowing between the ILEC and Windstream, including no impact to 911 calls which are routed over separate facilities.

Upon information and belief, Brandenburg appears to have routed the traffic through Windstream's Elizabethtown end office instead of establishing a business relationship with Verizon Business for the termination of this ISP traffic. Brandenburg also denied reimbursement to Windstream for the use of Windstream's network to deliver the traffic. Brandenburg is aware that the NPA-NXX used by Verizon Business is homed behind the Louisville tandem. Therefore, Brandenburg should have routed the traffic from its tandem to the Louisville tandem. Instead, Brandenburg continued to route the traffic to Windstream's end office in Elizabethtown.

To remedy the situation, Brandenburg may perform approximately 15 minutes of translations coding to route the ISP traffic destined for Verizon Business through the Louisville tandem, or Brandenburg may establish a direct connection to Verizon Business for delivery of the traffic. However, Brandenburg may not use Windstream's Elizabethtown end office to deliver the DS3 level of ISP traffic to Verizon Business, which is homed behind the Louisville tandem.

Please contact me at 859.357.6125 with any questions regarding this issue.

Sincerely,

A handwritten signature in black ink, appearing to be 'D-Logsdon', with a long horizontal flourish extending to the right.

Daniel Logsdon

cc: Allison Willoughby, Brandenburg Telephone Company

Smith, Kerry C

From: Fallon, Kay
Sent: Wednesday, April 30, 2008 9:48 AM
To: Smith, Kerry C; Weeks, Stephen; Fallon, Kay
Subject: FW: Brandenburg ILEC Trunk. Groups.



Brandenburg Study
3-28-2007.xl...

See email sent to Brandenburg on March 2007 for our request for a Tandem connection.

-----Original Message-----

From: Williams, Steven G
Sent: Wednesday, March 28, 2007 11:42 AM
To: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay
Cc: Gilmer, Ted A; Fuller, Anthony
Subject: FW: Brandenburg ILEC Trunk. Groups.

FYI. Response from Brandenburg.

I attached a spreadsheet of information provided by Tony Fuller (Thanks Tony), that I updated. It clearly indicates that almost one third of the calls coming in from Brandenburg, are for CLEC Verizon Business (MCI Metro).

We are building our translations to accept the LRN for these calls, and we do not expect any major problems. Any issues may be with the other carriers that only make up about 40 or less calls a month (Bluegrass Wireless).

-----Original Message-----

From: Randall Bradley [mailto:rbradley@bbtel.com]
Sent: Wednesday, March 28, 2007 10:55 AM
To: Williams, Steven G
Subject: RE: Brandenburg ILEC Trunk. Groups.

Steven,

Per your last email, I wanted to confirm that if Brandenburg queries these calls there will be no impact on the call completion. With this being the case, Brandenburg will complete the queries by April 3rd. If Brandenburg finds this not to be the case, Brandenburg will not complete these queries.

If you have any questions, please give me a call.

Thanks,

Randall

-----Original Message-----

From: Williams, Steven G [mailto:Steven.G.Williams@windstream.com]
Sent: Tuesday, March 27, 2007 3:24 PM
To: Randall Bradley
Cc: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay
Subject: RE: Brandenburg ILEC Trunk. Groups.

Randall,

As we discussed on the call today, Brandenburg is using the Elizabethtown end office to complete LNP queries. This has been discussed several times, including August 2002, May 2004, and again recently starting with email to Troy Nevitt and George Lewis on January 30, 2007.

Please be advised that starting Tuesday, April 3, all calls coming from Brandenburg into the Elizabethtown end office must be post query. Windstream will no longer complete the LNP query. Brandenburg must complete the query before routing the call to Windstream.

This change should have no impact to call completion. Per our discussion, Windstream will temporarily continue to route the call from the Elizabethtown end office to the CLEC that owns the LRN.

As also discussed, Windstream is again requesting Brandenburg work with us to establish a trunk group to the Elizabethtown tandem. Calls from Brandenburg are using the Elizabethtown end office to transit to other carriers. With no direct connection from the tandem, Windstream must send traffic terminating to Brandenburg Telephone, through BellSouth. A tandem group would be two way, allowing both companies to direct connect for all end offices in our networks. And Windstream would continue to allow Brandenburg access to the CLEC's that do not have interconnection into your network.

Again, please be advised that starting next Tuesday, Brandenburg must complete their own LNP queries for the traffic terminating to Windstream over the Elizabethtown end office trunk groups GN056191 and GN056322.

Please let me know if you would like to discuss further.

Thanks,
Steven
704-845-7258

-----Original Message-----

From: Randall Bradley [mailto:rbradley@bbtel.com]
Sent: Tuesday, March 27, 2007 8:58 AM
To: Williams, Steven G
Subject: RE: Brandenburg ILEC Trunk. Groups.

Steven,

We are working on this whole issue and plan to have you an update on this as soon as possible.

Randall

-----Original Message-----

From: Williams, Steven G [mailto:Steven.G.Williams@windstream.com]
Sent: Thursday, March 22, 2007 1:54 PM
To: Williams, Steven G; rbradley@bbtel.com
Cc: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay
Subject: RE: Brandenburg ILEC Trunk. Groups.

Randell,

Please provide an update to this issue. We are waiting for Brandenburg to work with Windstream to establish the trunk group to the Elizabethtown tandem. Then complete LNP queries on these local calls, and route based on the LRN.

Please have your Traffic engineers contact Jamey Wells at 704-845-7437 to begin this process.

Thanks,

Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

-----Original Message-----

From: Williams, Steven G
Sent: Friday, March 16, 2007 8:45 AM
To: 'rbradley@bbtel.com'
Cc: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay
Subject: RE: Brandenburg ILEC Trunk. Groups.

Randall,

This message is a follow up our conversation Wednesday morning, since you suggested that we put our request in writing. The request had already been conveyed in conversations over the phone and through email starting over three weeks ago.

During a four day audit of traffic in the Elizabethtown office, Windstream discovered that our Elizabethtown end office completed approximately 12,000 LNP queries, and transited over 366,528 MOU (Minutes Of Use) for calls originated from Brandenburg Telephone. The query is being completed at Windstream's Elizabethtown end office and then the call is tandemmed to other carriers, contrary to the proper use of the Elizabethtown end office.

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A traffic study indicates that at least two T1's can be removed from both end office trunk groups, GN056322 and GN056191, and the four T1's used to establish the tandem trunk group. No additional facilities will be required. These changes can be completed now in a matter of minutes.

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Your point about Brandenburg working on contracts with the carriers is not relevant to our

request. Windstream requests that Brandenburg work with us on this issue, and establish a tandem trunk group without delaying any longer. Over three weeks have already elapsed since we contacted Brandenburg this time, concerning this issue.

Your prompt attention to this matter is appreciated. Please call to discuss building the tandem trunk group.

Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

-----Original Message-----

From: Williams, Steven G
Sent: Wednesday, February 21, 2007 5:40 PM
To: 'George Lewis'
Cc: Cinpinski, Rich; Wells, Jamey A
Subject: RE: Brandenburg ILEC Trunk. Groups.

George,

As we have discussed, the two existing trunk groups GN056322 and GN056191 are connected to the Radcliff and Elizabethtown end offices.

Since Brandenburg apparently has chosen not to interconnect with the three carriers you mention below, you are sending Windstream the traffic over these end office trunk groups.

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Thanks,
Steven Williams
Staff Manager - Translations Engineering
Windstream Communication
704-845-7258
steven.g.williams@windstream.com

-----Original Message-----

From: George Lewis [mailto:gtlewis@bbtel.com]
Sent: Tuesday, February 20, 2007 2:26 PM
To: Williams, Steven G
Subject: Brandenburg ILEC Trk. Grp.

Steven,

Brandenburg Telephone Company is sending a registered letter to the three companies whose

traffic is not being queried and not routing properly. Stating they need to establish trunks with Brandenburg or make arrangements to have traffic delivered correctly based on LNP query. Hope to have this problem resolved quickly.

George Lewis
C.O. Supv.
Brandenburg Tel. Co.
270-351-4466

The information contained in this message, including attachments, may contain privileged or confidential information that is intended to be delivered only to the person identified above. If you are not the intended recipient, or the person responsible for delivering this message to the intended recipient, Windstream requests that you immediately notify the sender and asks that you do not read the message or its attachments, and that you delete them without copying or sending them to anyone else.

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STOLL · KEENON · OGDEN JUN 04 2008
PLLC

RECEIVED

PUBLIC SERVICE
COMMISSION

2000 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202-2828
(502) 333-6000
Fax: (502) 333-6099
www.skofirm.com

DOUGLAS F. BRENT
502-568-5734
douglas.brent@skofirm.com

June 4, 2008

HAND DELIVERY—EMERGENCY ACTION REQUESTED

Ms. Stephanie L. Stumbo
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

***RE: Brandenburg Telephone Co. dispute with Windstream Kentucky East—Call
Blocking affecting Local Service Customer of Verizon Access—Request for Emergency
Hearing***

Dear Ms. Stumbo:

We are counsel to Verizon Access, a competitive local exchange carrier. *Verizon Access requests an immediate emergency order by the Commission to stop the improper blocking of Internet access traffic by Windstream. Windstream has taken this action in connection with a billing dispute with Brandenburg Telephone Company. This blocking has severe and immediate adverse effects on third parties by preventing America Online customers in Brandenburg's service territory from connecting with the Internet through their chosen provider, AOL.*

This morning I received a copy of Daniel Logsdon's letter to you dated June 2, 2008. That letter alleges "misuse" of a Windstream end office by Brandenburg Telephone Company. It appears that rather than first bringing the dispute to the Commission¹, Windstream chose to block traffic in an effort to force Brandenburg Telephone Company to pay a disputed bill for transit service. This has created an urgent, customer-affecting situation. Verizon Access asks that the Commission convene an emergency hearing to consider the issues raised by Mr. Logsdon's letter.

¹ The Commission has made clear that a carrier considering disconnection over an inter-carrier dispute should bring the matter to the Commission well before any action which could interfere with the service of an end user. See *Customer Billing and Notice Requirements*, Case No. 2002-00310, Order at 7-8 (May 20, 2003).

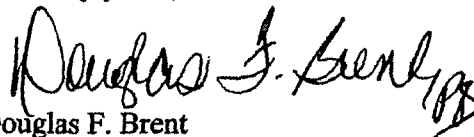
Ms. Stephanie L. Stumbo
Page 2

Regardless of the merits of the dispute between these incumbent providers, the Commission should understand the immediate customer effects of what Windstream has done and what, so far, Brandenburg Telephone Company has failed to remedy. Brandenburg Telephone Company customers who use America Online ("AOL") as their Internet service provider are currently unable to access the Internet via a local call to the AOL dial-up number which serves them (via a number associated with the Elizabethtown rate center). That dial-up number is provided by Verizon Access. Brandenburg Telephone Company customers unable to access the Internet are likely to attribute the network problem to AOL. Brandenburg Telephone Company is also a direct competitor to AOL for Internet access service.

In its letter Windstream claims that Brandenburg could "remedy the situation" in approximately 15 minutes by routing the affected traffic to AT&T Kentucky's Louisville tandem. Given the ease at which this blocking could be ended, Verizon Access asks that the Commission exercise its powers under KRS 278.040 to enforce KRS 278.520 and issue an immediate emergency order to cease the blocking of traffic. Verizon Access also asks the Commission to promptly convene an emergency hearing at which Windstream could explain why it knowingly blocked the traffic of another carrier without first contacting the Commission. At that hearing Brandenburg could explain why it has not taken immediate action to restore the ability of its local customers to reach their Internet service provider of choice.

Please indicate receipt of this filing by your office by placing a file stamp on the extra copy and returning to me.

Sincerely yours,


Douglas F. Brent

cc: Daniel Logsdon, Jr.
Cesar Caballero
John E. Selent
Richard Severy
Robert Davis
De' O'Roark
David Samford ✓
Virginia Smith ✓



Windstream Communications, Inc.
130 West New Circle Road
Suite 170
Lexington, KY 40505

Daniel E. Logsdon, Jr.
Vice President, State Government Affairs
daniel.logsdon@windstream.com
ofc. 859-357-6125
fax. 859-357-6163

June 2, 2008

Via Hand Delivery
Stephanie Stumbo
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40601

RECEIVED

JUN 03 2008

**PUBLIC SERVICE
COMMISSION**

Dear Director Stumbo:

The purpose of this letter is to provide a courtesy notice to the Commission that as of 9:00 a.m., Monday, June 2, 2008, Windstream Kentucky East, LLC ("Windstream") ceased the misuse of its Elizabethtown end office by Brandenburg Telephone ("Brandenburg" or the "ILEC") to route ISP traffic that otherwise should have been routed through AT&T's Louisville tandem. Further, as Brandenburg is aware, the level of traffic was at a DS3 level (*i.e.*, well in excess of a DS1 level), although Brandenburg did not establish a direct connection for delivery of the traffic. Windstream, to no avail, repeatedly attempted to work with Brandenburg regarding this traffic.

The calls in question arose when Brandenburg's end users accessed the Internet by calling dial-up ISPs served by Verizon Business. The traffic had no impact on local, long-distance, or EAS traffic flowing between the ILEC and Windstream, including no impact to 911 calls which are routed over separate facilities.

Upon information and belief, Brandenburg appears to have routed the traffic through Windstream's Elizabethtown end office instead of establishing a business relationship with Verizon Business for the termination of this ISP traffic.. Brandenburg also denied reimbursement to Windstream for the use of Windstream's network to deliver the traffic. Brandenburg is aware that the NPA-NXX used by Verizon Business is homed behind the Louisville tandem. Therefore, Brandenburg should have routed the traffic from its tandem to the Louisville tandem. Instead, Brandenburg continued to route the traffic to Windstream's end office in Elizabethtown.

To remedy the situation, Brandenburg may perform approximately 15 minutes of translations coding to route the ISP traffic destined for Verizon Business through the Louisville tandem, or Brandenburg may establish a direct connection to Verizon Business for delivery of the traffic. However, Brandenburg may not use Windstream's Elizabethtown end office to deliver the DS3 level of ISP traffic to Verizon Business, which is homed behind the Louisville tandem.

Please contact me at 859.357.6125 with any questions regarding this issue.

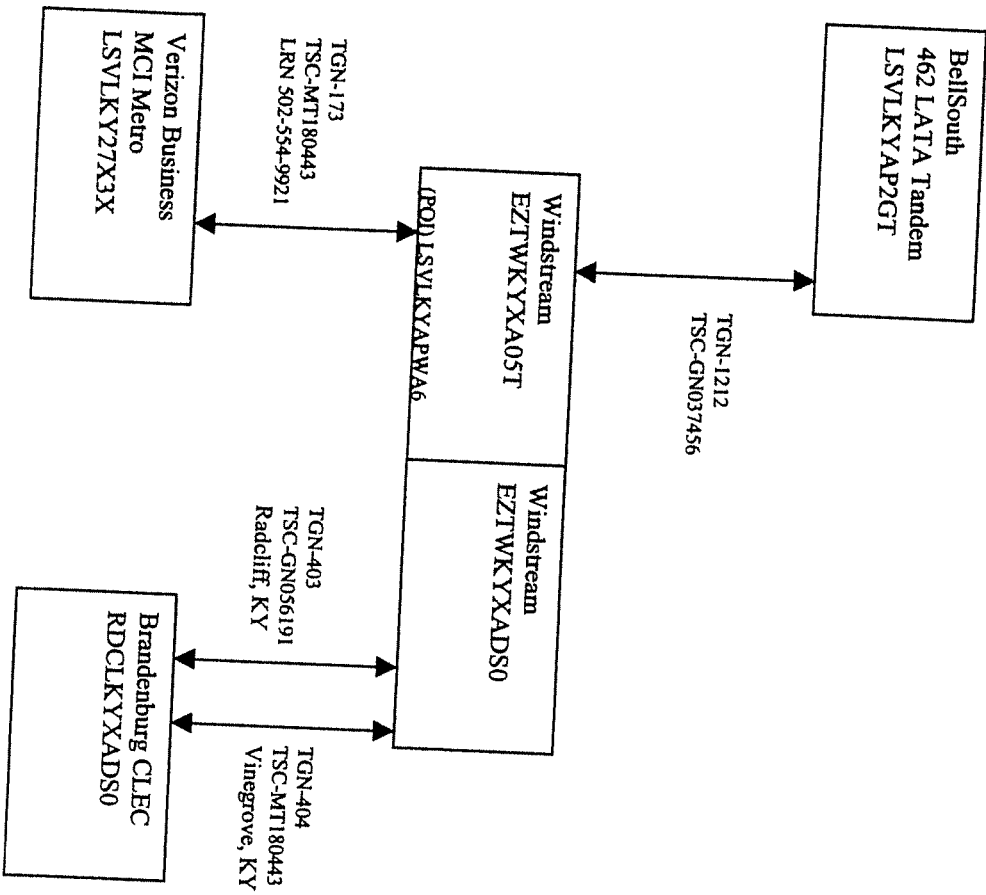
Sincerely,

A handwritten signature in black ink, appearing to be 'D. Logsdon', with a long horizontal flourish extending to the right.

Daniel Logsdon

cc: Allison Willoughby, Brandenburg Telephone Company

Louisville KY LATA 462 (Windstream and Brandenburg and Verizon)



Traffic Routing

2003

- MCI Metro established TGN 173 to the Windstream/Alltel 05T tandem.
- Brandenburg started sending traffic to Windstream over EAS TGNs 403 and 404 that belonged to MCI Metro. Since Brandenburg was querying the calls and delivering a LRN that was not EAS, Windstream blocked the calls.
- An agreement was made with Brandenburg to send the calls unqueried to Windstream and since the unqueried DNs were EAS, Windstream would route the calls to MCI Metro after querying.

2007

- Windstream asked all ILECs and CLECs interconnected with the Elizabethtown tandem to query all calls prior to arriving at the tandem.
- An agreement was made with Brandenburg to allow queried calls resulting in MCI Metro LRNs over the 403 and 404 EAS trunk groups.
- Windstream billed Brandenburg for transiting their traffic to third parties.
- Windstream could not collect for the transited calls and Windstream's position was that Brandenburg was sending third party billable calls over local / EAS trunk groups. This was misrouted traffic that was not remedied by Brandenburg therefore, Windstream stopped allowing the misrouted traffic.

Proposal

- Brandenburg establish a tandem trunk group to EZTWKYYXA05T, eliminate all third party traffic on TGNs 403 and 404, and pay for transit charges for third party calls over the newly established tandem trunk group.

White, James

From: Logsdon, Daniel
Sent: Tuesday, June 03, 2008 10:04 AM
To: Rhoda, Michael D; White, James; Bennett, Kimberly K; Caballero, Cesar; Weeks, Stephen
Subject: Update - Brandenburg

I returned Amy's call this morning but got her voicemail. Told her I was on calls until 11am and would call her again at that time.

I'll let you know what happens.

Dan

Daniel Logsdon
Windstream Communications
State Government Affairs - KY and PA
(w) - 859.357.6125
(m) - 859.221.3770

From: Logsdon, Daniel
Sent: Tuesday, June 03, 2008 10:36 AM
To: Rhoda, Michael D; White, James; Bennett, Kimberly K; Caballero, Cesar; Weeks, Stephen; Smith, Kerry C; Kreutz, William F
Subject: Brandenburg Update - KY PSC Call and Vz Bus Call

Talked with Amy:

First, this is nothing formal,

Do you believe Windstream had an obligation to notify the PSC prior to taking this action?

No. We've been discussing this issue with them for some time and they've known for months that they were misusing our network and that these calls should be going through the AT&T LATA Tandem

Did you provide prior notice to their counsel?

No. I sent our counsel the letter I filed at the Commission this morning.

So who did you notify?

I sent the letter we filed at the Commission to Allison by Fedex yesterday.

She laughed sarcastically and said that she would just wait to see if she heard from Brandenburg.

I told her to call anytime.

VZ Business has contacted both Steve Weeks and me. They have been talking with Brandenburg. Brandenburg's position is that they aren't blocking and that Vz needs to call us.

I'm sending Vz a copy of our filing at the Commission, our transit rates, and what facilities Brandenburg has into our Etown Tandem.

Thanks

Dan

Daniel Logsdon

Windstream Communications

State Government Affairs - KY and PA

(w) - 859.357.6125

(m) - 859.221.3770

Gilmer, Ted A

From: Fallon, Kay
Sent: Monday, June 09, 2008 4:43 PM
To: Gilmer, Ted A
Subject: RE: Brandenburg Information

Network Performance site shows TG112 as an IXC TG - just want to confirm before I ask them to make any changes.

-----Original Message-----

From: Gilmer, Ted A
Sent: Monday, June 09, 2008 3:25 PM
To: Wilkinson, Keith; Fallon, Kay
Cc: Plyler, Christie
Subject: RE: Brandenburg Information

Attached is the spreadsheet with the trunk group information.

Thanks

Ted A. Gilmer
Translations Engineer
704-845-7253
ted.a.gilmer@windstream.com

-----Original Message-----

From: Wilkinson, Keith
Sent: Monday, June 09, 2008 10:15 AM
To: Gilmer, Ted A
Cc: Plyler, Christie
Subject: FW: Brandenburg Information

Please add the information Kay is requesting.

Thanks,

Keith

-----Original Message-----

From: Fallon, Kay
Sent: Monday, June 09, 2008 10:06 AM
To: Wilkinson, Keith
Cc: Fallon, Kay
Subject: Brandenburg Information

Keith, Could you please have someone confirm for me what Brandenburg codes are routed over which Trunk Groups in ETWN.

Attached is a condensed spreadsheet from the LERG.

Kay Fallon Director Network Engineering
50 Executive Parkway | Hudson, OH 44236
Office (330) 650-7487 | cell 330-808-0008
kay.fallon@windstream.com



Think Green! Please do not print this e-mail unless absolutely necessary

Gilmer, Ted A

From: Fallon, Kay
Sent: Tuesday, June 10, 2008 7:13 AM
To: Gilmer, Ted A
Subject: RE: Brandenburg Information

When you get a few minutes this am - give me a call so we can discuss. Thank you Kay

-----Original Message-----

From: Gilmer, Ted A
Sent: Monday, June 09, 2008 4:48 PM
To: Fallon, Kay
Subject: RE: Brandenburg Information

Network Performance Site is correct. Trunk group 112 is an IXC TRKG. The code should go to TRKG0127. Do you want to move it?

Ted A. Gilmer
Translations Engineer
704-845-7253
ted.a.gilmer@windstream.com

-----Original Message-----

From: Fallon, Kay
Sent: Monday, June 09, 2008 4:43 PM
To: Gilmer, Ted A
Subject: RE: Brandenburg Information

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Translations Engineer
704-845-7253
ted.a.gilmer@windstream.com

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Cc: Fallon, Kay

Subject: Brandenburg Information

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Attached is a condensed spreadsheet from the LERG.

Kay Fallon Director Network Engineering

50 Executive Parkway | Hudson, OH 44236

Office (330) 650-7487 | cell 330-808-0008

kay.fallon@windstream.com



Think Green! Please do not print this e-mail unless absolutely necessary

Gilmer, Ted A

From: Fallon, Kay
Sent: Wednesday, April 16, 2008 3:57 PM
To: Gilmer, Ted A
Subject: RE: Brandenburg ILEC question

Proves again not to assume - thank you

-----Original Message-----

From: Gilmer, Ted A
Sent: Wednesday, April 16, 2008 3:57 PM
To: Fallon, Kay
Subject: RE: Brandenburg ILEC question

I am a little tight, but I am doing fine. Thanks for asking. No I route this all Brandenburg ILEC codes in the 462 lata to either tgn 0403 or tgn0404.

-----Original Message-----

From: Fallon, Kay
Sent: Wednesday, April 16, 2008 3:33 PM
To: Gilmer, Ted A
Subject: Brandenburg ILEC question

Ted - Hope you are holding up OK on your first day back.
Easy question - WIN customer in ETWN does NOT have an IPIC on their line and they dial a Brandenburg ILEC intralata Toll number like 270-547---- where do you route the call?
My assumption is the LXTN LATA Tandem. But you know what assumptions can do.

Kay Fallon | 50 Executive Parkway | Hudson, OH 44236
Office (330) 650-7487 | cell 330-808-0008
kay.fallon@windstream.com

Caballero, Cesar

From: Overstreet, Mark R. [MOVERSTREET@stites.com]
Sent: Wednesday, June 18, 2008 2:40 PM
To: Pinney, Jeb (PSC); tip.depp@dinslaw.com; Selent, John; Brent, Douglas
Subject: Verizon-Brandenburg Negotiations

JEB:

The unauthorized use of Windstream's network continues in violation of industry routing protocols, as well as the Commission's own precedent for establishment of direct facilities for traffic exceeding a DS1 level. Brandenburg improperly continues to route a DS3 level of calls over EAS trunks to Windstream's Elizabethtown End-Office. These calls, which are not destined for Windstream's network or facilities located behind Windstream's network, can and should be immediately routed to the Louisville tandem. Windstream intends to hold all culpable parties responsible for damages with respect to the continued misappropriation of Windstream's facilities. Currently, Windstream estimates that in addition to past damages it continues to incur damages of at least \$500 per day that the unauthorized routing is allowed to continue.

Windstream is not a party to or otherwise privy to the negotiations between MCI/Metro and Brandenburg. Nevertheless, almost two weeks have elapsed since Brandenburg expressly stated on June 5, 2008 that an interconnection agreement with MCI/Metro was imminent and could be reached within 7-14 days. If an agreement is not reached by June 19, 2008 (fourteen days from June 5, 2008), Windstream requests the Commission to use its full authority, including penalties or Commission-ordered expedited mediation with MCI/Metro, to force Brandenburg to take all steps necessary to cease the improper use of Windstream's facilities no later than noon on July 3, 2008 - which is twice the length of time Brandenburg stated was necessary to finalize its agreement with MCI/Metro.

Mark R. Overstreet
Stites & Harblson PLLC
421 West Main Street
P.O. Box 634
Frankfort, Kentucky 40602-0634
Phone: (502) 223-3477
Facsimile: (502) 223-4387
E-Mail: moverstreet@stites.com

NOTICE: This message is intended only for the addressee and may contain information that is privileged, confidential and/or attorney work product. If you are not the intended recipient, do not read, copy, retain or disseminate this message or any attachment. If you have received this message in error, please call the sender immediately at (502) 223-3477 and delete all copies of the message and any attachment. Neither the transmission of this message or any attachment, nor any error in transmission or misdelivery shall constitute waiver of any applicable legal privilege.

From: Brent, Douglas [mailto:Douglas.Brent@skofirm.com]
Sent: Friday, June 20, 2008 11:42 AM
To: Pinney, Jeb (PSC); tip.depp@dinslaw.com; Selent, John; Overstreet, Mark R.
Cc: Monroe, John
Subject: RE: Windstream/Verison/Brandenburg

Jeb,

After the June 5 phone conference among the carriers and the PSC staff, Verizon Business ("VZB") made a proposal to Brandenburg and sent it directly to the company by email on Friday, June 6. VZB proposed a 50/50 split of the total expense for interconnection and a bill and keep arrangement for the traffic originating from Brandenburg's customers in Radcliff. Under this proposal VZB would accept the traffic at the Windstream tandem in Elizabethtown. However, VZB has been willing to accept the traffic at the BellSouth tandem in Louisville, under the same arrangement, i.e. split of the expense for total expense for interconnection and bill and keep for the traffic.

Brandenburg rejected this proposal.

On June 5, counsel for Brandenburg had contacted me and asked that we stay in touch concerning negotiations between the companies. Accordingly, we had calls on June 12 and June 18. During both calls we discussed VZB's proposal. VZB's in-house interconnection attorney, John Monroe, participated in the call on June 12.

On June 19 counsel to Brandenburg stated that the VZB proposal was not acceptable. In addition, counsel to Brandenburg stated that in the near future Brandenburg would make changes in its network to prevent its customers from dialing the VZB numbers on a local basis. Such a change would be unlawful, and would interfere with Radcliff customers' ability to access AOL.

Douglas F. Brent
Stoll Keenon Ogden PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202
502 333 6000
502 568 5734 direct
douglas.brent@skofirm.com
www.skofirm.com



From: Pinney, Jeb (PSC) [mailto:Jeb.Pinney@ky.gov]
Sent: Tuesday, June 17, 2008 3:34 PM
To: tip.depp@dinslaw.com; Selent, John; Brent, Douglas; Overstreet, Mark R.
Subject: Windstream/Verison/Brandenburg

Gentlemen,

Rather than try to schedule a teleconference, I believe it might be easier to get an update on the status of the dispute via email. I would appreciate it if, at your all's convenience, if you could send emails, copied to all parties, regarding the current status of the dispute and the current status of negotiations.

Thank you,

JEB

Fuller, Anthony

From: Fuller, Anthony
Sent: Wednesday, July 30, 2008 6:15 PM
To: WCI Translations
Subject: RE: Brandenburg ILEC Trunk. Groups.

Importance: High

We are having some legal issues with Brandenburg so we need verification on how traffic routed to Brandenburg on trunk groups 403 and 404 at Elizabethtown are handed off to Verizon CLEC if the terminated number has been ported away from Windstream (Terminating LRN of 5025549921). Would this route through Louisville or directly to Verizon CLEC on a local interconnection group?

Thanks,

Tony

-----Original Message-----

From: Williams, Steven G
Sent: Wednesday, April 04, 2007 7:41 AM
To: Cinpinski, Rich; Wells, Jamey A; Bennett, Kimberly K; Caballero, Cesar; Logsdon, Daniel; Fallon, Kay; Hughes, S Lynn
Cc: Fuller, Anthony; Gilmer, Ted A
Subject: FW: Brandenburg ILEC Trunk. Groups.

FYI.

On Tuesday, April 3, 2007, translation corrections were completed in the Elizabethtown end office. Calls coming in from Brandenburg must have completed an LNP query, for us to complete or route the call.

A side effect of this change on the Brandenburg ILEC trunk groups, is that since the Brandenburg ILEC and CLEC originate from the same switch, their CLEC must also complete the LNP query before routing to Windstream.

Until Tuesday, Windstream was completing approximately 89,200 LNP queries per month for Brandenburg ILEC, with 99% routing to CLEC Verizon Business.

This is a baby step in the right direction. Brandenburg ILEC is still using the Elizabethtown end office as a tandem to Verizon Business and maybe a few other carriers.

Thanks,
Steven

-----Original Message-----

From: Williams, Steven G
Sent: Tuesday, April 03, 2007 3:29 PM
To: 'Randall Bradley'
Subject: RE: Brandenburg ILEC Trunk. Groups.

Randall,

Windstream translator Ted Gilmer worked with George Lewis and Nicholas, and this has been completed. Windstream is receiving the LRN's for locally ported numbers over the Elizabethtown end office trunk groups, and continues to pass the traffic to the carriers.

We appreciate Brandenburg working with us to correct this issue.

Thanks,
Steven

-----Original Message-----

From: Randall Bradley [mailto:rbradley@bbtel.com]

Sent: Wednesday, March 28, 2007 10:55 AM

To: Williams, Steven G

Subject: RE: Brandenburg ILEC Trunk. Groups.

Steven,

Per your last email, I wanted to confirm that if Brandenburg queries these calls there will be no impact on the call completion. With this being the case, Brandenburg will complete the queries by April 3rd. If Brandenburg finds this not to be the case, Brandenburg will not complete these queries.

If you have any questions, please give me a call.

Thanks,

Randall

Fuller, Anthony

From: Fuller, Anthony
Sent: Thursday, July 31, 2008 8:51 AM
To: Weeks, Stephen
Cc: Smith, Kerry C; Logsdon, Garland; Bennett, Kimberly K; Latham, Joyce; Fallon, Kay
Subject: FW: Brandenburg

Stephen,

Here is confirmation from Kay that the calls from Brandenburg to E-town are transiting the E-town end office to Verizon Business on a local interconnection group. The calls do not pass through the AT&T Louisville tandem. All calls originate from Radcliff or Vine Grove rate centers and terminate to the Elizabethtown rate center which is a local call. This is the exact call scenario we discussed when setting up the End Office Transit rate in the KY Local Transit tariff. I agree that Brandenburg should not be sending the calls to the E-town end office, but that is why we decided to bill a higher rate so they would move any transit traffic to the tandem.

Attached is a copy of the July bill. As you will see, we are actually underbilling Brandenburg since we are billing the tandem transit rate instead of the end office transit rate.

Let me know if you have questions.

Tony

-----Original Message-----

From: Fallon, Kay
Sent: Thursday, July 31, 2008 8:21 AM
To: Fuller, Anthony
Subject: RE: Brandenburg

You are correct. The calls come into ETWN with the orig/term numbers and the LRN 502554 for VZ BZ. ETWN then routes the call to our direct TG to VZ BZ which has a LSVL CLLI.

-----Original Message-----

From: Fuller, Anthony
Sent: Thursday, July 31, 2008 9:17 AM
To: Fallon, Kay
Subject: RE: Brandenburg

Yes, please. I'm just wanting to verify how these calls are physically routed to MCI when Brandenburg sends them to us at E-town. My understanding was that they are not going through Louisville as Steve Weeks seems to think.

Thanks,

Tony

From: Fuller, Anthony
Sent: Thursday, July 31, 2008 8:51 AM
To: Weeks, Stephen
Cc: Smith, Kerry C; Logsdon, Garland; Bennett, Kimberly K; Latham, Joyce; Fallon, Kay
Subject: FW: Brandenburg

Stephen,

Here is confirmation from Kay that the calls from Brandenburg to E-town are transiting the E-town end office to Verizon Business on a local interconnection group. The calls do not pass through the AT&T Louisville tandem. All calls originate from Radcliff or Vine Grove rate centers and terminate to the Elizabethtown rate center which is a local call. This is the exact call scenario we discussed when setting up the End Office Transit rate in the KY Local Transit tariff. I agree that Brandenburg should not be sending the calls to the E-town end office, but that is why we decided to bill a higher rate so they would move any transit traffic to the tandem.

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Tony

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Thanks,

Tony

Fallon, Kay

Subject: Brandenburg
Location: 1-888-390-0570, code 5017485367

Start: Mon 3/30/2009 2:00 PM
End: Mon 3/30/2009 3:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Required Attendees: Fallon, Kay; Wilkinson, Keith; Terry, Scott A; Logsdon, Daniel; Elliott, W Lee; Gilmer, Ted A; Fuller, Anthony

All:

I would like to discuss Brandenburg's illegal routing of traffic through Windstream for delivery to Verizon Business. I have attached an email from Ted that I would like to include in our discussion.

Thanks

Lynn



RE: Brandenburg
Reroute

Fallon, Kay

From: Gilmer, Ted A
Sent: Wednesday, March 04, 2009 4:13 PM
To: Wilkinson, Keith
Cc: Fallon, Kay; Hughes, S Lynn
Subject: RE: Brandenburg Reroute

Keith,

The only way I can route Verizon Business's LRN(502- 54-9921) from Brandenburg's trunk groups to MCI LD trunk group is to take the digits dialed and replace them as if the call was 1+ the LRN. Therefore changing a E911 call to a DDD call. I have made successful test calls from Elizabethtown making a 110 call record. There are differences in making this call from a line and making it from a trunk group. I will have to add an ipic to the trunk group and I am not sure if the call record would reflect the originator or the bn on the trunk group. If you want me to I can build a pseudo trunk group in Hodgenville and make more test calls and have Terry Hercegh check the call records.

Keith

Keith Wilkinson
Staff Manager Network Engineering
10005 Monroe Rd. Matthews, NC 28105
Office 704.845.7258 Cell 704.699.0973
keith.wilkinson@windstream.com

Logsdon, Daniel

From: Smith, Kerry C
Sent: Monday, June 02, 2008 2:42 PM
To: Wilkinson, Keith; Bennett, Kimberly K; Plyler, Christie; Logsdon, Daniel; Higgins, William T; Weeks, Stephen; Gilmer, Ted A; Fallon, Kay
Subject: RE: Brandenburg End Office Use Blocking
Categories: KY - Brandenburg MCI Case 2008-203

LRN 502-554-9921

Term Numbers
270-234-0425
270-765-2701
270-766-1633
270-769-3330

Kerry

-----Original Appointment-----

From: Wilkinson, Keith
Sent: Monday, June 02, 2008 11:18 AM
To: Wilkinson, Keith; Bennett, Kimberly K; Plyler, Christie; Logsdon, Daniel; Smith, Kerry C; Higgins, William T; Weeks, Stephen; Gilmer, Ted A; Fallon, Kay
Subject: Brandenburg End Office Use Blocking
When: Monday, June 02, 2008 1:30 PM-2:00 PM (GMT-06:00) Central Time (US & Canada).
Where: 888-390-0570 pin is 3306507487 leader pin is 7580

I'm scheduling a short call to discuss the call blocking effectiveness in place and the possible need to add rules to block unqueried calls.

Thanks,

Keith

Logsdon, Daniel

From: Smith, Kerry C
Sent: Tuesday, June 03, 2008 10:52 AM
To: Logsdon, Daniel; Bennett, Kimberly K
Cc: Weeks, Stephen
Subject: Verizon Bus is aware of the latest traffic arrangement in KY.

Categories: KY - Brandenburg MCI Case 2008-203

Dan, you should be getting a call from Verizon Bus on the issue with BB. They called Keith and I said to have them call you.

Logsdon, Daniel

From: Smith, Kerry C
Sent: Tuesday, June 03, 2008 10:59 AM
To: Logsdon, Daniel; Bennett, Kimberly K
Cc: Weeks, Stephen
Subject: RE: Verizon Bus is aware of the latest traffic arrangement in KY.

Categories: KY - Brandenburg MCI Case 2008-203

You could and then VB and BB could discuss the merits of proper routing..... :-)

-----Original Message-----

From: Logsdon, Daniel
Sent: Tuesday, June 03, 2008 9:57 AM
To: Smith, Kerry C; Bennett, Kimberly K
Cc: Weeks, Stephen
Subject: RE: Verizon Bus is aware of the latest traffic arrangement in KY.

OK

So I should tell him to call BB, right?

-----Original Message-----

From: Smith, Kerry C
Sent: Tuesday, June 03, 2008 10:52 AM
To: Logsdon, Daniel; Bennett, Kimberly K
Cc: Weeks, Stephen
Subject: Verizon Bus is aware of the latest traffic arrangement in KY.

Dan, you should be getting a call from Verizon Bus on the issue with BB. They called Keith and I said to have them call you.

Logsdon, Daniel

From: Wilkinson, Keith
Sent: Tuesday, June 03, 2008 11:24 AM
To: Bennett, Kimberly K; Plyler, Christie; Logsdon, Daniel; Smith, Kerry C; Higgins, William T; Weeks, Stephen; Gilmer, Ted A; Fallon, Kay
Subject: Brandenburg Fallout
Categories: KY - Brandenburg MCI Case 2008-203

Rick McGoller with Verizon Inter-Carrier Relations called asking for verification that we are blocking calls from Brandenburg. He knew about the history of Brandenburg and didn't seem disturbed. I confirmed and referred him to Dan's office number.

Keith

Logsdon, Daniel

From: Smith, Kerry C
Sent: Tuesday, June 03, 2008 11:27 AM
To: Wilkinson, Keith; Bennett, Kimberly K; Plyler, Christie; Logsdon, Daniel; Higgins, William T; Weeks, Stephen; Gilmer, Ted A; Fallon, Kay
Subject: RE: Brandenburg Fallout
Categories: KY - Brandenburg MCI Case 2008-203

Remember we are not blocking, we are just not allowing our end office to be used as a tandem, especially for traffic that Windstream is not the proper Tandem.

-----Original Message-----

From: Wilkinson, Keith
Sent: Tuesday, June 03, 2008 10:24 AM
To: Bennett, Kimberly K; Plyler, Christie; Logsdon, Daniel; Smith, Kerry C; Higgins, William T; Weeks, Stephen; Gilmer, Ted A; Fallon, Kay
Subject: Brandenburg Fallout

Rick McGoller with Verizon Inter-Carrier Relations called asking for verification that we are blocking calls from Brandenburg. He knew about the history of Brandenburg and didn't seem disturbed. I confirmed and referred him to Dan's office number.

Keith

Logsdon, Daniel

From: Haggard, Teresa
Sent: Tuesday, June 03, 2008 11:30 AM
To: Logsdon, Daniel
Subject: FW: FedEx Shipment 792708481586 Delivered
Categories: KY - Brandenburg MCI Case 2008-203

Letter delivered to Allison Willoughby.

Teresa L. Haggard
Windstream Communications
Lexington, KY
859-357-6102
teresa.haggard@windstream.com

-----Original Message-----

From: TrackingUpdates@fedex.com [mailto:TrackingUpdates@fedex.com]
Sent: Tuesday, June 03, 2008 11:27 AM
To: Haggard, Teresa
Subject: FedEx Shipment 792708481586 Delivered

This tracking update has been requested by:

Company Name: Windstream
Name: Dan Logsdon
E-mail: teresa.haggard@windstream.com

Our records indicate that the following shipment has been delivered:

Ship (P/U) date: Jun 2, 2008
Delivery date: Jun 3, 2008 11:22 AM
Sign for by: F.CLAYCOMB
Delivered to: Receptionist/Front Desk
Service type: FedEx Priority Overnight
Packaging type: FedEx Envelope
Number of pieces: 1
Weight: 0.50 lb.
Special handling/Services: Deliver Weekday

Tracking number: 792708481586

Shipper Information

Dan Logsdon
Windstream
130 W. New Circle Road;Ste 170
Lexington
KY
US

Recipient Information

Allison Willoughby
Brandburg Telephone Company
200 Telco Drive
Brandenburg
KY
US

40505

401080599

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 10:27 AM CDT on 06/03/2008.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.

Logsdon, Daniel

From: McGolerick, Rick (Rick) [rick.mcgolerick@verizonbusiness.com]
Sent: Tuesday, June 03, 2008 11:51 AM
To: Logsdon, Daniel; Turner, Mark (MarkETurner)
Cc: Weeks, Stephen
Subject: RE: Brandenburg Issue

Categories: KY - Brandenburg MCI Case 2008-203

Dan - Thanks for the information.

Rick McGolerick
National Carrier Contracts and Initiatives
(703) 886 - 4032

-----Original Message-----

From: Logsdon, Daniel [mailto:Daniel.Logsdon@windstream.com]
Sent: Tuesday, June 03, 2008 11:47 AM
To: McGolerick, Rick (Rick); Turner, Mark (MarkETurner)
Cc: Weeks, Stephen
Subject: Brandenburg Issue

Rick

1 - Attached is the letter we filed at the Commission and sent to Brandenburg (our fedex account shows they received it at 11:22am June 3)

2 - Windstream's transit tariff has two rates. The Tandem rate is .003 and the end office rate is .0045

3 - There is an OC 12 and an OC 48 between Brandenburg's Radcliff Tandem and our Etown Tandem. I was told that a Cisco terminal serves these facilities and it can handle any type of traffic.

Thanks
Dan

<<WINPSCLETTER6208.PDF>>

Daniel Logsdon
Windstream Communications
State Government Affairs - KY and PA
(w) - 859.357.6125
(m) - 859.221.3770

Logsdon, Daniel

From: White, James
Sent: Wednesday, June 04, 2008 1:55 PM
To: Logsdon, Daniel
Subject: RE: Brandenburg End Office Use
Categories: KY - Brandenburg MCI Case 2008-203

Steve

Are they just leaving their customers high and dry?

James

-----Original Message-----

From: Logsdon, Daniel
Sent: Wed 6/4/2008 8:02 AM
To: Rhoda, Michael D; White, James
Cc:
Subject: FW: Brandenburg End Office Use

They've got a lot of class at Brandenburg.

-----Original Message-----

From: Higgins, William T
Sent: Tuesday, June 03, 2008 4:59 PM
To: Smith, Kerry C; Plyler, Christie; Logsdon, Daniel; Wilkinson, Keith; Bennett, Kimberly K; Weeks, Stephen
Cc: Fallon, Kay
Subject: RE: Brandenburg End Office Use

All,
Just an FYI
No correction has been made. Calls are still failing.
Todd

-----Original Message-----

From: Smith, Kerry C
Sent: Monday, June 02, 2008 9:15 AM
To: Plyler, Christie; Logsdon, Daniel; Wilkinson, Keith; Bennett, Kimberly K; Higgins, William T; Weeks, Stephen
Cc: Fallon, Kay
Subject: RE: Brandenburg End Office Use

NOC and Call Centers have been notified just in case.

Kerry

Logsdon, Daniel

From: Smith, Kerry C
Sent: Thursday, June 05, 2008 9:11 AM
To: Logsdon, Daniel; Weeks, Stephen; Bennett, Kimberly K; Fallon, Kay
Cc: Caballero, Cesar; Mark Overstreet (E-mail)
Subject: RE: Prepare for emergency informal call with KY PSC and Brandenburg
Categories: KY - Brandenburg MCI Case 2008-203

Our ICA with Verizon Business states in Attachment 4 Network Interconnection Architecture Section 1.1....

"Neither Party shall deliver to the other Party traffic originated on the network of any third party telecommunications carrier ("Transit Traffic") and neither Party shall be required to accept such Transit Traffic from the other Party. Both Parties agree only to deliver traffic to the other pursuant to and consistent with the terms of this Agreement and the Parties further agree that they shall not deliver traffic to the other in a manner that is intended to avoid ACCESS or other charges associated with interLATA or intraLATA toll traffic."

Kerry

-----Original Message-----

From: Logsdon, Daniel
Sent: Thursday, June 05, 2008 6:13 AM
To: Weeks, Stephen; Bennett, Kimberly K; Smith, Kerry C; Fallon, Kay
Cc: Caballero, Cesar; Mark Overstreet (E-mail)
Subject: RE: Prepare for emergency informal call with KY PSC and Brandenburg

Tariff

-----Original Appointment-----

From: Weeks, Stephen
Sent: Wednesday, June 04, 2008 5:43 PM
To: Logsdon, Daniel; Bennett, Kimberly K; Smith, Kerry C; Fallon, Kay; Weeks, Stephen
Cc: Caballero, Cesar
Subject: Prepare for emergency informal call with KY PSC and Brandenburg
When: Thursday, June 05, 2008 9:30 AM-10:00 AM (GMT-05:00) Eastern Time (US & Canada).
Where: 888-390-0570; 501-748-5808
Importance: High

When: Thursday, June 05, 2008 8:30 AM-9:00 AM (GMT-06:00) Central Time (US & Canada).
Where: 888-390-0570; 501-748-5808

~*~*~*~*~*~*~*~*~*

-----Original Message-----

From: Logsdon, Daniel
Sent: Tuesday, May 27, 2008 9:27 AM
To: Fallon, Kay; Smith, Kerry C
Cc: Weeks, Stephen; Bennett, Kimberly K
Subject: Brandenburg End Office Use

Kay

Steve, Kerry and I just finished a call with Brandenburg regarding payment for their use of our end-office in Etown. They are unwilling to discuss any payment for the use of this facility absent a Commission Order. Further they stated that they do not believe we have any right to charge them for the use of our end office.

Can you please proceed with rerouting of their traffic from our end office in Elizabethtown - I believe it is far in excess of a DS3 level to MCI Metro.

Further, please wait to flip the switch - I will provide you with a "go" email soon.

Thanks
Dan

Daniel Logsdon
Windstream Communications
State Government Affairs - KY and PA
(w) - 859.357.6125
(m) - 859.221.3770

Higgins, William T

From: Gilmer, Ted A
Sent: Monday, October 13, 2008 12:16 PM
To: 'GTLewis@BBTel.com'
Cc: Fallon, Kay; Higgins, William T; Wilkinson, Keith
Subject: Traffic on New Local End Office Trunk Group0126 (MT181419)

GT,

I just wanted to confirm the traffic that will be on this new local end office trunk group. I will be sending you traffic from Elizabethtown(270-737, 270-765, 270-769, 270-234, 270-360, 270-706, 270-735, 270-739, 270-763, 270-766), Celica (270-862), and South Hardin (270-369) to your Elizabethtown npa-nxx 270-982 and your South Hardin npa-nxx 270-949. The npa-nxxs this trunk group can complete to from you is the Elizabethtown, Celica, and South Hardin listed previously. Also, you need to do the lnp dip on all calls. If you have any question please contact me.

Thanks

Ted A. Gilmer
Translations Engineer
704-845-7253
ted.a.gilmer@windstream.com

Year	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030																																																																																																																																								
Population	100,000	105,000	110,000	115,000	120,000	125,000	130,000	135,000	140,000	145,000	150,000	155,000	160,000	165,000	170,000	175,000	180,000	185,000	190,000	195,000	200,000	205,000	210,000	215,000	220,000	225,000	230,000	235,000	240,000	245,000	250,000	255,000	260,000	265,000	270,000	275,000	280,000	285,000	290,000	295,000	300,000	305,000	310,000	315,000	320,000	325,000	330,000	335,000	340,000	345,000	350,000	355,000	360,000	365,000	370,000	375,000	380,000	385,000	390,000	395,000	400,000	405,000	410,000	415,000	420,000	425,000	430,000	435,000	440,000	445,000	450,000	455,000	460,000	465,000	470,000	475,000	480,000	485,000	490,000	495,000	500,000	505,000	510,000	515,000	520,000	525,000	530,000	535,000	540,000	545,000	550,000	555,000	560,000	565,000	570,000	575,000	580,000	585,000	590,000	595,000	600,000	605,000	610,000	615,000	620,000	625,000	630,000	635,000	640,000	645,000	650,000	655,000	660,000	665,000	670,000	675,000	680,000	685,000	690,000	695,000	700,000	705,000	710,000	715,000	720,000	725,000	730,000	735,000	740,000	745,000	750,000	755,000	760,000	765,000	770,000	775,000	780,000	785,000	790,000	795,000	800,000	805,000	810,000	815,000	820,000	825,000	830,000	835,000	840,000	845,000	850,000	855,000	860,000	865,000	870,000	875,000	880,000	885,000	890,000	895,000	900,000	905,000	910,000	915,000	920,000	925,000	930,000	935,000	940,000	945,000	950,000	955,000	960,000	965,000	970,000	975,000	980,000	985,000	990,000	995,000	1,000,000																
GDP	100,000,000	105,000,000	110,000,000	115,000,000	120,000,000	125,000,000	130,000,000	135,000,000	140,000,000	145,000,000	150,000,000	155,000,000	160,000,000	165,000,000	170,000,000	175,000,000	180,000,000	185,000,000	190,000,000	195,000,000	200,000,000	205,000,000	210,000,000	215,000,000	220,000,000	225,000,000	230,000,000	235,000,000	240,000,000	245,000,000	250,000,000	255,000,000	260,000,000	265,000,000	270,000,000	275,000,000	280,000,000	285,000,000	290,000,000	295,000,000	300,000,000	305,000,000	310,000,000	315,000,000	320,000,000	325,000,000	330,000,000	335,000,000	340,000,000	345,000,000	350,000,000	355,000,000	360,000,000	365,000,000	370,000,000	375,000,000	380,000,000	385,000,000	390,000,000	395,000,000	400,000,000	405,000,000	410,000,000	415,000,000	420,000,000	425,000,000	430,000,000	435,000,000	440,000,000	445,000,000	450,000,000	455,000,000	460,000,000	465,000,000	470,000,000	475,000,000	480,000,000	485,000,000	490,000,000	495,000,000	500,000,000	505,000,000	510,000,000	515,000,000	520,000,000	525,000,000	530,000,000	535,000,000	540,000,000	545,000,000	550,000,000	555,000,000	560,000,000	565,000,000	570,000,000	575,000,000	580,000,000	585,000,000	590,000,000	595,000,000	600,000,000	605,000,000	610,000,000	615,000,000	620,000,000	625,000,000	630,000,000	635,000,000	640,000,000	645,000,000	650,000,000	655,000,000	660,000,000	665,000,000	670,000,000	675,000,000	680,000,000	685,000,000	690,000,000	695,000,000	700,000,000	705,000,000	710,000,000	715,000,000	720,000,000	725,000,000	730,000,000	735,000,000	740,000,000	745,000,000	750,000,000	755,000,000	760,000,000	765,000,000	770,000,000	775,000,000	780,000,000	785,000,000	790,000,000	795,000,000	800,000,000	805,000,000	810,000,000	815,000,000	820,000,000	825,000,000	830,000,000	835,000,000	840,000,000	845,000,000	850,000,000	855,000,000	860,000,000	865,000,000	870,000,000	875,000,000	880,000,000	885,000,000	890,000,000	895,000,000	900,000,000	905,000,000	910,000,000	915,000,000	920,000,000	925,000,000	930,000,000	935,000,000	940,000,000	945,000,000	950,000,000	955,000,000	960,000,000	965,000,000	970,000,000	975,000,000	980,000,000	985,000,000	990,000,000	995,000,000	1,000,000,000																
Unemployment	5%	5.5%	6%	6.5%	7%	7.5%	8%	8.5%	9%	9.5%	10%	10.5%	11%	11.5%	12%	12.5%	13%	13.5%	14%	14.5%	15%	15.5%	16%	16.5%	17%	17.5%	18%	18.5%	19%	19.5%	20%	20.5%	21%	21.5%	22%	22.5%	23%	23.5%	24%	24.5%	25%	25.5%	26%	26.5%	27%	27.5%	28%	28.5%	29%	29.5%	30%	30.5%	31%	31.5%	32%	32.5%	33%	33.5%	34%	34.5%	35%	35.5%	36%	36.5%	37%	37.5%	38%	38.5%	39%	39.5%	40%	40.5%	41%	41.5%	42%	42.5%	43%	43.5%	44%	44.5%	45%	45.5%	46%	46.5%	47%	47.5%	48%	48.5%	49%	49.5%	50%	50.5%	51%	51.5%	52%	52.5%	53%	53.5%	54%	54.5%	55%	55.5%	56%	56.5%	57%	57.5%	58%	58.5%	59%	59.5%	60%	60.5%	61%	61.5%	62%	62.5%	63%	63.5%	64%	64.5%	65%	65.5%	66%	66.5%	67%	67.5%	68%	68.5%	69%	69.5%	70%	70.5%	71%	71.5%	72%	72.5%	73%	73.5%	74%	74.5%	75%	75.5%	76%	76.5%	77%	77.5%	78%	78.5%	79%	79.5%	80%	80.5%	81%	81.5%	82%	82.5%	83%	83.5%	84%	84.5%	85%	85.5%	86%	86.5%	87%	87.5%	88%	88.5%	89%	89.5%	90%	90.5%	91%	91.5%	92%	92.5%	93%	93.5%	94%	94.5%	95%	95.5%	96%	96.5%	97%	97.5%	98%	98.5%	99%	99.5%	100%						
Inflation	2%	2.5%	3%	3.5%	4%	4.5%	5%	5.5%	6%	6.5%	7%	7.5%	8%	8.5%	9%	9.5%	10%	10.5%	11%	11.5%	12%	12.5%	13%	13.5%	14%	14.5%	15%	15.5%	16%	16.5%	17%	17.5%	18%	18.5%	19%	19.5%	20%	20.5%	21%	21.5%	22%	22.5%	23%	23.5%	24%	24.5%	25%	25.5%	26%	26.5%	27%	27.5%	28%	28.5%	29%	29.5%	30%	30.5%	31%	31.5%	32%	32.5%	33%	33.5%	34%	34.5%	35%	35.5%	36%	36.5%	37%	37.5%	38%	38.5%	39%	39.5%	40%	40.5%	41%	41.5%	42%	42.5%	43%	43.5%	44%	44.5%	45%	45.5%	46%	46.5%	47%	47.5%	48%	48.5%	49%	49.5%	50%	50.5%	51%	51.5%	52%	52.5%	53%	53.5%	54%	54.5%	55%	55.5%	56%	56.5%	57%	57.5%	58%	58.5%	59%	59.5%	60%	60.5%	61%	61.5%	62%	62.5%	63%	63.5%	64%	64.5%	65%	65.5%	66%	66.5%	67%	67.5%	68%	68.5%	69%	69.5%	70%	70.5%	71%	71.5%	72%	72.5%	73%	73.5%	74%	74.5%	75%	75.5%	76%	76.5%	77%	77.5%	78%	78.5%	79%	79.5%	80%	80.5%	81%	81.5%	82%	82.5%	83%	83.5%	84%	84.5%	85%	85.5%	86%	86.5%	87%	87.5%	88%	88.5%	89%	89.5%	90%	90.5%	91%	91.5%	92%	92.5%	93%	93.5%	94%	94.5%	95%	95.5%	96%	96.5%	97%	97.5%	98%	98.5%	99%	99.5%	100%

1. The above data is based on the assumption that the economy will continue to grow at a steady rate of 3% per year.
 2. The above data is based on the assumption that the population will continue to grow at a steady rate of 1% per year.
 3. The above data is based on the assumption that the unemployment rate will continue to rise at a steady rate of 0.5% per year.
 4. The above data is based on the assumption that the inflation rate will continue to rise at a steady rate of 0.5% per year.