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PUBLIC SERVICE
COMMISSION

December 23, 2008

VIA HAND DELIVERY

Hon. Stephanie Stumbo
Executive Director
Public Service Commission
211 Sower Blvd.
Frankfort, KY 40601

Re: In the Matter of Adoption of Interconnection Agreement between South Central Rural Telephone Cooperative Corporation, Inc. and Sprint communications Company, L.P. by Windstream Communications, Inc.; Case No. 2008-00477

Dear Ms. Stumbo:

South Central Rural Telephone Cooperative Corporation, Inc. ("SCRTC") recently received notice that the Public Service Commission of the Commonwealth of Kentucky (the "Commission") opened case number 2008-00477 in response to a written request by Windstream Communications, Inc. ("Windstream Communications") to adopt SCRTC's interconnection agreement with Sprint Communications Company, L.P. ("Sprint"). The purpose of this letter is to notify the Commission that SCRTC objects to Windstream Communication's request to adopt the SCRTC-Sprint interconnection agreement.

As an initial matter, the interconnection agreement is not available for adoption because, by its terms, its two-year term expired in June of this year and the agreement is only effective pursuant to a 90-day evergreen term. Accordingly, even if Windstream Communications were able to adopt this agreement, the agreement would be subject to nearly immediate termination and renegotiation pursuant to the terms of that agreement.

Perhaps more importantly, SCRTC believes that Windstream Communications's request is not a "bona fide request" within the meaning of the Telecommunications Act of 1996 (the "Act"). Instead, SCRTC believes that Windstream Communications is acting merely as a "straw man" for Windstream Kentucky East, LLC ("Windstream ILEC") in an unlawful attempt to expand Windstream ILEC's incumbent service territory beyond its existing borders.

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In the two weeks preceding Windstream Communications's request for interconnection, SCRTC and a representative of Windstream ILEC were in discussions regarding the resolution of a dispute concerning the territory border between SCRTC and Windstream ILEC. Specifically, the dispute concerned Windstream ILEC's unlawful provision of service within the SCRTC service territory. SCRTC was led to believe that the parties were making progress in amicably resolving the matter.

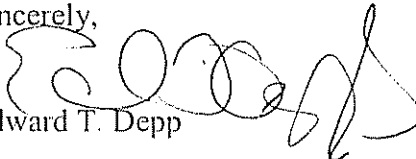
Then, on or around the date that SCRTC expected written confirmation that Windstream ILEC and it had resolved the matter, SCRTC received notice that Windstream Communications – presumably the CLEC – had petitioned the Commission to approve its adoption of the SCRTC-Sprint interconnection agreement. Subsequent to this notice, SCRTC received a letter from Windstream ILEC characterizing the traffic as "foreign exchange" ("FX") traffic. Taken to its logical conclusion, it is clear that Windstream believes (incorrectly) that the agreement it seeks to adopt will permit its ILEC to unlawfully expand its ILEC service territory while hiding behind its alleged CLEC affiliate operations. (It is worth noting that while Windstream Communications is allegedly certificated as a CLEC, it apparently has no numbering resources or other typical indicators (for example, it has no OCN's in Kentucky) of an ability to actually provide the facilities-based competitive services necessitated by the terms of the SCRTC-Sprint interconnection agreement.)

In light of these issues, and the number of potentially related issues, it appears that the most practical solution would be for the Commission to deny Windstream Communications's request at this time because: (i) the agreement is not available for adoption under the Act; and (ii) it is not clear whether Windstream Communications's request constitutes a "bona fide request" within the meaning of the Act.

SCRTC is happy to discuss this matter further with the Commission, if the Commission believes that would be helpful. However, given that Windstream failed to discuss this matter with South Central prior to bringing it to the attention of the Commission, we believe that the most productive course of action would be to deny Windstream Communications's request so that the parties can attempt to resolve this matter informally.

Thank you, and if you have any questions, please call us.

Sincerely,



Edward T. Depp

ETD/lb

cc: Mark R. Overstreet, Esq.
Max Phipps
Donnie Bennett
John E. Selent, Esq.

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