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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NO. 2009-00058

FEB 22 2010

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

TERA BLUE, INC.

COMPLAINANT

v.

MOTION TO DISMISS

WINDSTREAM KENTUCKY EAST, LLC.

DEFENDANT

** ** * * * * *

Comes the Complainant, Tera Blue, Inc., by counsel, and hereby moves this Commission for an order dismissing the claims in this proceeding with prejudice on the grounds that the issues have been fully and finally settled.

Respectfully submitted,

McBRAYER, McGINNIS, LESLIE
& KIRKLAND, PLLC
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BY:


STEPHEN G. AMATO
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ATTORNEYS FOR COMPLAINANT

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of February, 2010, a true and correct copy of the foregoing was served via US Mail to the following:

Allyson Honaker
Public Service Commission
PO Box 615
Frankfort, KY 40602-0615

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

Hon. Jeremy R. Morgan
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ATTORNEYS FOR COMPLAINANT

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