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May 20, 2010

RECEIVED

MAY 20 2010

PUBLIC SERVICE  
COMMISSION

**VIA COURIER**

Mr. Jeff Derouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40602


Re: BellSouth Telecommunications, Inc. d/b/a AT&T SouthEast d/b/a AT&T  
Kentucky, Complainant v. Budget Prepay, Inc. d/b/a Budget Phone,  
Defendant  
PSC 2010-00025

Dear Mr. Derouen:

Enclosed for filing in the above-captioned case are the original and five (5)  
copies of Joint Motion on Procedural Issues.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

  
Mary K. Keyer

Enclosures

cc: Parties of Record

814580

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of: )  
)  
BELLSOUTH TELECOMMUNICATIONS, INC. )  
d/b/a AT&T SOUTHEAST )  
d/b/a AT&T KENTUCKY )  
Complainant )  
v. ) Case No.: 2010-00023  
)  
BLC MANAGEMENT LLC d/b/a ANGLES )  
COMMUNICATIONS SOLUTIONS )  
Defendant )  
  
BELLSOUTH TELECOMMUNICATIONS, INC. )  
d/b/a AT&T SOUTHEAST )  
d/b/a AT&T KENTUCKY )  
Complainant )  
v. ) Case No.: 2010-00025  
)  
BUDGET PREPAY, INC. )  
d/b/a BUDGET PHONE )  
Defendant )  
  
BELLSOUTH TELECOMMUNICATIONS, INC. )  
d/b/a AT&T SOUTHEAST )  
d/b/a AT&T KENTUCKY )  
Complainant )  
v. ) Case No.: 2010-00026  
)  
LIFECONNEX TELECOM, LLC )  
f/k/a SWIFTEL LLC )  
Defendant )  
  
BELLSOUTH TELECOMMUNICATIONS, INC. )  
d/b/a AT&T SOUTHEAST )  
d/b/a AT&T KENTUCKY )  
Complainant )  
v. ) Case No.: 2010-00029  
)  
DPI TELECONNECT, LLC )  
Defendant )

## JOINT MOTION ON PROCEDURAL ISSUES

BellSouth Telecommunications, Inc., d/b/a AT&T Southeast, d/b/a AT&T Kentucky ("AT&T"), and BLC Management LLC d/b/a Angles Communications Solutions ("Angles"), Budget Prepay, Inc. d/b/a Budget Phone ("Budget Phone"), LifeConnex Telecom, LLC f/k/a Swiftel LLC ("LifeConnex"), and dPi Teleconnect, LLC ("dPi") file this joint motion respectively in each of the above-captioned cases. All of the above-captioned proceedings are similar, not only to each other but to cases pending before the regulatory commissions of eight other states (the states of the former BellSouth region).<sup>1</sup> To promote the reasonable, efficient, and expeditious determination of these proceedings, the Parties respectfully request that the Commission:

1. Hold in abeyance all other motions currently pending in the above-captioned cases; and
2. Convene a consolidated proceeding (Consolidated Phase) to which the Complainant and all Respondents are parties, to resolve the following issues:<sup>2</sup>
  - (a) how cash-back credits to the resellers should be calculated;
  - (b) whether the word-of-mouth promotion is available for resale and, if so, how the credits to resellers should be calculated; and
  - (c) how credits to resellers for waiver of the line connection charge should be calculated.

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<sup>1</sup> This Joint Motion is also being filed in each of the other states.

<sup>2</sup> The Parties are not asking the Commission to decide in the Consolidated Phase any other issues, including without limitation issues related to AT&T's announcement of its intent to change its formula for calculating cash-back credits. This Joint Motion, however, does not limit the *arguments* that may be made by any Party in the Consolidated Phase. Any Party may raise any arguments it believes are relevant to the Consolidated Phase, whether or not such arguments also relate to claims outside the Consolidated Phase. Similarly, AT&T may object to any arguments it believes are irrelevant or object for any other reason, but it will not object on the grounds that raising arguments related to other claims is inconsistent with this Joint Motion.

If the Commission approves this Joint Motion, the Parties will work in good faith to propose by June 11, 2010, a procedural schedule for a Consolidated Phase hearing in each of the nine states.<sup>3</sup>

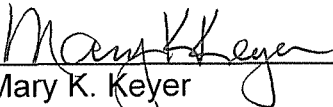
Once the Commission has issued an order resolving the issues in the Consolidated Phase, the Parties will work in good faith to address or, if necessary, request the Commission to resolve, all remaining unresolved claims and counterclaims related to the Consolidated Phase and determine what, if any, dollar amounts are owed or credits due each Party. As stated below, any individual Party may also pursue in its respective docket, either during or after the Consolidated Phase, any issue, claim, or counterclaim, including related discovery, that is not addressed in the Consolidated Phase.

Nothing in this Joint Motion is intended, or shall be construed, as a waiver of any Party's pending motions, claims, counterclaims or defenses or any Party's right to amend and supplement its claims, counterclaims, or other pleadings, or to pursue any issue, claim, or counterclaim that is not addressed in the Consolidated Phase in each Party's respective docket, either concurrent with or following the Consolidated Phase, or to seek such other relief as a change in circumstances may warrant.

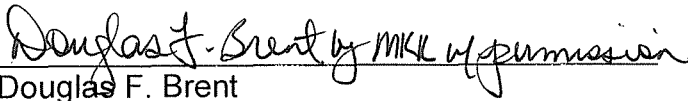
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<sup>3</sup> This is similar to the approach taken by pre-merger BellSouth and the parties to the Commission's dockets addressing the FCC's Triennial Review Remand Order ("TRRO") and its progeny. Those parties presented a coordinated, region-wide schedule that resulted in the expeditious resolution of those proceedings on a regional basis.

Respectfully submitted,

  
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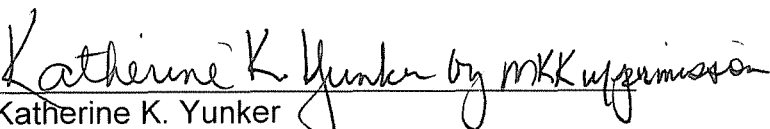
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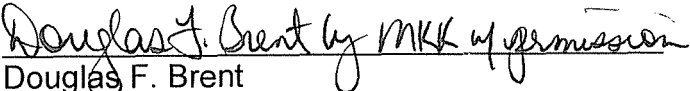
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CERTIFICATE OF SERVICE – PSC 2010-00025

I hereby certify that a copy of the foregoing was served on the following individuals by mailing a copy thereof via U.S. Mail, this 20th day of May 2010.

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