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Vice Chairman

Charles R. Borders  
Commissioner

May 10, 2010

PARTIES OF RECORD

Re: Case No. 2010-00131

Attached is a copy of the memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the informal conference memorandum, please do so within seven days of receipt of this letter. If you have any questions, please contact Tiffany Bowman at 502/564-3940, Extension 465 or by email at [Tiffany.J.Bowman@ky.gov](mailto:Tiffany.J.Bowman@ky.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen  
Executive Director

JD/tb

Attachment

## INTRA-AGENCY MEMORANDUM

### KENTUCKY PUBLIC SERVICE COMMISSION

**TO:** Case File

**FROM:** Tiffany Bowman  
Staff Attorney

**DATE:** May 10, 2010

**SUBJECT: Case No. 2010-00131**

PETITION OF CRICKET COMMUNICATIONS, INC. FOR ARBITRATION OF RATES, TERMS AND CONDITIONS OF INTERCONNECTION WITH BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T KENTUCKY

Informal Conference Memorandum

An informal conference ("IC") was held in this matter on Thursday, May 6, 2010. A copy of the conference attendance list is attached. The purpose of the IC was to discuss: (1) the threshold issue raised within the response by BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky and (2) the development of a procedural schedule and potential formal hearing dates

During the IC, the following issues were addressed:

- Commission Staff discussed the joint filing by the parties asking the Commission to consider and issue decisions on certain threshold issues, as well as the parties' submission of a proposed joint procedural schedule. Commission Staff asked the parties' to clarify their request to bifurcate the proceedings. The parties explained that they wanted the Commission to make initial rulings on the threshold issues prior to moving forward with a procedural schedule.
- Commission Staff discussed Merger Commitment 7.4 (as it pertains to AT&T Kentucky). The parties stated that this issue has not been addressed by any other state commission, nor is it pending before any other state commission. The parties stated that if the Commission finds that it has jurisdiction over Merger Commitment 7.4 and finds that Cricket has the right to an extension of the interconnection agreement, then the secondary issue related to the inclusion of transit traffic within the 251/252 agreement becomes moot (Cricket stated that the issue is already outlined within the existing agreement) and the remainder of the arbitration case would, essentially, settle.

- AT&T stated that as to transit traffic issue, it contends that this issue is not proper for a 251/252 agreement.
- Commission Staff stated that the parties should adhere to the dates outlined in the joint proposed schedule attached to the motion.
- Commission Staff stated that it would have the Commission issue an Order on the Motion, including adoption of the proposed schedule, however, the Order may not be issued prior to the date on which the initial briefs need to be submitted (May 19). But Staff and the parties agreed the schedule would still be followed.
- Commission Staff clarified with the parties that once the Commission issues a ruling on the initial threshold issue by June 30, 2010 and the parties submit another joint schedule by July 9<sup>th</sup>, that schedule would include dates for submitting an issues matrix and dates for discovery. The parties stated that this is correct.

The informal conference then adjourned.

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CASE NO. 2010-00131

PETITION OF CRICKET COMMUNICATIONS, INC. FOR ARBITRATION OF  
RATES, TERMS AND CONDITIONS OF INTERCONNECTION WITH  
BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T KENTUCKY

SIGN IN

May 6, 2010

PERSON

REPRESENTING

Tiffany Bowman

PSC

Kyle Willard

PSC

Jim Stevens

PSC

Mary Keyes

AT&T KY (phone)

Dennis Friedman

AT&T KY (phone)

K.C. Halm

Cricket (phone)

Doug Brent

Cricket (phone)

JEB Pinney

PSC