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January 29, 2013

Jeffrey DeRouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40601

RECEIVED

JAN 30 2013

**PUBLIC SERVICE
COMMISSION**

RE: PSC Case No. 2010-00444—Motion to Abate

Dear Mr. DeRouen:

Enclosed for filing in this case please find an original and ten copies of a Joint Status Report and Renewed Motion to Abate. I am signing the Motion on behalf of both parties and with permission of Mary K. Keyer of AT&T-Kentucky. Please place your file stamp on the extra copy and return to me via the enclosed self-addressed stamped envelope.

If you have any questions concerning this filing, please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely yours,

Douglas F. Brent

DFB: jms
Enclosures

cc: Chris Malish
Mary K. Keyer

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:)
)
NEXUS COMMUNICATIONS, INC.)
)
 COMPLAINANT,)
)
v.)
)
BELLSOUTH TELECOMMUNICATIONS, INC.)
D/B/A AT&T KENTUCKY)
)
 DEFENDANT.)

CASE NO.
2010-00444
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COMMISSION

JOINT STATUS REPORT AND RENEWED MOTION TO ABATE

Nexus Communications, Inc. (“Nexus”) and BellSouth Telecommunications, Inc., d/b/a AT&T Southeast d/b/a AT&T Kentucky (“AT&T Kentucky”) file this *Joint Status Report and Renewed Motion to Abate* with the Public Service Commission (“Commission”).

On November 30, 2012, the Commission issued its *Order* abating this case for 60 days at which time the parties could file a renewed motion to abate this proceeding along with “updated information relating to the progress of litigation in other states, as well as the current state of the parties’ own settlement negotiations.”¹ This filing is intended to comply with that order by providing the following updated information.

In addition to the disputes in Kentucky, the parties are currently engaged in extensive, high-level, and broad-range settlement negotiations regarding disputes across all states wherein both parties conduct business. To that end, the parties have exchanged voluminous informal

¹ *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky*, Case No. 2010-00444 before the Kentucky Public Service Commission; *Order*, Nov. 30, 2012.

discovery, continue frequent communication, and have agreed in principle to the terms of the settlement. The parties are working diligently to reach a final resolution of these issues and will promptly advise the Commission upon such final resolution.

Therefore, pursuant to an agreement between the parties and the Commission's *Order* entered on November 30, 2012, the parties file this *Joint Status Report and Renewed Motion to Abate* the proceedings regarding the instant matter before the Commission.

Notwithstanding the above, AT&T Kentucky reserves the right to file a motion to request that the Commission lift the abeyance should Nexus not pay all current and future amounts billed by AT&T Kentucky on a timely basis in accordance with the parties' interconnection agreement.

WHEREFORE, the parties respectfully move the Commission to issue an order placing this case in abeyance pending further notice from the parties that the case should resume before the Commission or that the matter has been resolved.

Dated: January 29, 2013

Respectfully submitted,



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LRJ for Mary M. Keyer

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COUNSEL FOR BELLSOUTH
TELECOMMUNICATIONS, INC.
d/b/a AT&T SOUTHEAST
d/b/a AT&T KENTUCKY