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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of February 24, 2025***2015-00283**

RECEIVED: 08/14/15

FILED: 08/14/15

FINAL: 12/20/18

REOPENED:

SUSPENSION DATE:

**CASE CODE**

Declaratory Order

**UTILITIES:**

Windstream Communications, LLC

INTERVENORS: Morgan-Verizon

**HEARINGS:**

03/03/17 Teleconference

01/31/17 Formal Hearing

**INDEX OF EVENTS:**

- 12/20/18 Final Order Entered: 1. Windstream's Application for a declaratory order is granted; 2. Regardless of the underlying technology, transmission media, or protocol the interconnection regimes under 47 U.S.C. §§ 251-252 and KRS 278.530 apply and permit a requesting carrier to file a petition with the Commission requesting an Order addressing requested interconnection with an ILEC; 3. Any existing agreements for the exchange of IP voice traffic must be filed with the Commission; and 4. This case is closed and removed from the Commission's docket.
- 09/11/18 Verizon Long Distance, LLC Verizon Access Transmission Services Supplemental Authority in Opposition to Windstreams Request for Declaratory Order
- 09/05/18 Cheryl R Winn BellSouth Telecommunications, LLC d/b/a ATT Kentucky ATT Kentucky Supplemental Brief
- 09/05/18 David S. Samford Windstream Communications, Inc. Supplemental Brief
- 09/05/18 Verizon Long Distance, LLC Verizon Access Transmission Services Verizons Supplemental Brief in Opposition to Windstreams Request for Declaratory Order
- 09/05/18 Kevin Mann CINCINNATI BELL TELEPHONE Supplemental Brief of Cincinnati Bell Telephone Company LLC
- 08/06/18 Order Entered: 1. AT&T Kentucky's motion for oral argument is denied. 2. AT&T Kentucky's motion to strike is denied. 3. Within 30 days of the date of this Order, the parties shall file supplemental briefs that: 1) respond to the issues raised in the initial briefs, and; 2) provide updates on relevant, federal law.
- 02/07/18 Order Entered: 1. CompSouth's motion is granted. 2. Windstream is substituted for CompSouth as a party in this case. 3. The case style from the date of this Order forward shall be: APPLICATION OF WINDSTREAM COMMUNICATIONS, INC. FOR A DECLARATORY ORDER AFFIRMING THAT THE INTERCONNECTION REGIMES UNDER KRS 278.530 AND 47 U.S.C. § 251 ARE TECHNOLOGY NEUTRAL
- 12/27/17 David S. Samford Competitive Carriers of the South, Inc. Motion to Substitute Party (Windstream for CompSouth)
- 11/07/17 Verizon Long Distance, LLC Verizon Access Transmission Services Response to CompSouths Notice of Pending Dissolution and Request for Declaratory Order
- 11/02/17 Cheryl R Winn BellSouth Telecommunications, LLC d/b/a ATT Kentucky ATT Kentuckys Response to CompSouths Notice of Pending Dissolution and Request for a Declaratory Order
- 10/31/17 David S. Samford Competitive Carriers of the South, Inc. CompSouth Notice of Pending Dissolution and Request for a Declaratory Order
- 05/08/17 Order Entered: 1. CompSouth's petition for confidential protection for the designated material contained in Gillan Rebuttal Testimony, page 6, line 10, is granted. 2. The designated material contained in Gillan Rebuttal Testimony, page 6, line 10, shall not be placed in the public record or made available for public inspection for a period of ten years, or until further Orders of this Commission. 3. Use of the material in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. CompSouth shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment. 5. If a non-party to this proceeding requests to inspect the material granted confidential treatment by this Order & the period during which the material has been granted confidential treatment has not expired, then CompSouth shall have 20 days from receipt of written notice of the request to demonstrate the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If CompSouth

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is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection. 6. The Commission shall not make the requested material available for inspection for 20 days following an Order finding the material no longer qualifies for confidential treatment in order to allow CompSouth to seek a remedy afforded by law.

03/29/17 Cheryl R. Winn BellSouth Telecommunications, LLC Reply in Support of Motion for Oral Argument

03/27/17 David S. Samford Competitive Carriers of the South, Inc. Response to Motion for Oral Argument

03/24/17 Verizon Long Distance, LLC Verizon Access Transmission Services Verizons Initial Brief in Opposition to CompSouths Request for Declaratory Order

03/24/17 David S. Samford Competitive Carriers of the South, Inc. CompSouths Initial Brief

03/24/17 Cheryl R Winn BellSouth Telecommunications, LLC d/b/a ATT Kentucky ATT Kentucky Initial Brief and Motion for Oral Argument

03/24/17 Kevin Mann Cincinnati Bell Telephone LLC Initial Brief

03/21/17 Order Entered: 1. Verizon's petition for rehearing is granted. 2. Verizon's petition for confidential protection for designated materials contained in the Vasington Testimony, page 5, lines 11-17, and page 5, line 21 through page 6, line 7, is granted. 3. The designated materials set forth in the Vasington Testimony, page 5, lines 11-17, and page 5, line 21 through page 6, line 7, shall not be placed in the public record or made available for public inspection for period of ten years, or until further Orders of this Commission. 4. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 5. Verizon shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment. 6. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, then Verizon shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Verizon is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

03/10/17 Order Entered: 1. CBT's petition for confidential protection for designated materials contained in its responses to CompSouth's First Request, Items 4 and 5, is granted. 2. The designated materials set forth in CBT's responses to CompSouth's First Request, Items 4 and 5, shall not be placed in the public record or made available for public inspection for a period of ten years, or until further Orders of this Commission. 3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. CBT shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

03/07/17 Verizon Long Distance, LLC Verizon Access Transmission Services Petition for Rehearing Seeking Confidential Treatment

03/07/17 Cheryl R. Winn BellSouth Telecommunications d/b/a ATT Kentucky REPLY IN SUPPORT OF ATT KENTUCKY'S MOTION TO STRIKE IRRELEVANT PORTIONS OF REBUTTAL TESTIMONY OF JOSEPH GILLAN

03/07/17 David S. Samford Competitive Carriers of the South, Inc. Response to Motion to Suspend Date for Initial Briefs

03/03/17 David S. Samford Competitive Carriers of the South, Inc. Response to Motion to Strike

03/02/17 Commission Staff's Notice of Informal Conference

03/02/17 Order Entered: 1. CompSouth's petition for confidential protection for designated materials contained in its responses to Verizon's First Request, Items 1-3, is granted. 2. The designated materials set forth in CompSouth's responses to Verizon's First Request, Items 1-3, shall not be placed in the public record or made available for public inspection for period of ten years, or until further Orders of this Commission. 3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9). 4. CompSouth shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment. 5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not expired, then CompSouth shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If CompSouth is unable to make such demonstration, the requested materials shall be made available for inspection. 6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow CompSouth to seek a remedy afforded by law.

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02/28/17 Cheryl R. Winn BellSouth Communications, LLC Motion to Suspend Date For Initial Briefs and Request For Expedited Ruling

02/28/17 Order Entered: 1. Verizon's petition for confidential protection for designated material contained in the Vasington Testimony is denied without prejudice. 2. Within 20 days of the date of this Order, Verizon shall file a revised version of the Vasington Testimony for which confidential protection was denied, reflecting as unredacted the information that has been denied confidential treatment. 3. The material for which Verizon's request for confidential treatment has been denied shall neither be placed in the public record nor made available for inspection for 20 days from the date of this Order in order to allow Verizon to seek a remedy afforded by law.

02/24/17 Cheryl R. Winn Bellsouth Telecommunications, LLC Motion to Strike

02/17/17 David S. Samford Competitive Carriers of the South, Inc. Rebuttal Testimony

01/25/17 Order Entered: 1. The Joint Motion is granted; 2. CompSouth's motion to compel and AT&T Kentucky's and Verizon's respective motions to strike may be withdrawn without prejudice; 3. The procedural schedule established in the August 9, 2016 Order is suspended; 4. The public hearing scheduled on January 31, 2017, is continued generally. 5. The procedural schedule set forth in the Appendix to this Order shall be followed. 6. a. Any party filing testimony shall comply with the electronic filing procedures set forth in 807 KAR 5:001, Section 8, and shall file with the Commission an original and six copies in paper medium and an electronic copy. b. Any party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read. 7. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause. 8. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

01/17/17 Verizon Long Distance, LLC Verizon Access Transmission Services Verizons Supplemental Response to CompSouths Information Requests

01/12/17 Cheryl R Winn BellSouth Telecommunications, LLC d/b/a ATT Kentucky ATT Kentuckys Supplemental Responses to CompSouths Information Requests

12/23/16 Cheryl R Winn BellSouth Telecommunications, LLC d/b/a ATT Kentucky et al. Joint Motion to Suspend Current Procedural Schedule and Withdrawal of Pending Motions without Prejudice

12/15/16 David S. Samford Competitive Carriers of the South, Inc. Notice

12/12/16 Verizon Long Distance, LLC Verizon Access Transmission Services Motion to Strike CompSouths Motion to Compel Request Additional Relief

12/09/16 Cheryl R. Winn BellSouth Telecommunications, LLC ATT Kentuckys Motion to Strike CompSouths Motion to Compel, Suspend Procedural Schedule, Convene a Status Conference, and Request for Expedited Ruling

12/07/16 David S. Samford Competitive Carriers of the South, Inc. Motion to Compel and Motion to Extend Procedural Schedule

11/23/16 Verizon Long Distance, LLC Verizon Access Transmission Services Verizons Responses to CompSouths Data Requests

11/23/16 Cheryl R. Winn ATT Kentucky ATT Kentuckys Objections and Responses to Compsouths Information Requests

11/18/16 Kevin Mann Cincinnati Bell Telephone Data Request Response to CompSouth

11/18/16 Kevin Mann Cincinnati Bell Telephone Data Request Response to CompSouth

11/09/16 L. Allyson Honaker Competitive Carriers of the South, Inc. Data Requests to Intervenors

10/26/16 Cheryl R Winn BellSouth Telecommunications, LLC d/b/a ATT Kentucky Direct Testimony of Scott McPhee

10/26/16 Verizon Long Distance, LLC Verizon Access Transmission Services Redacted Direct Testimony of Paul B. Vasington

09/09/16 David S. Samford Competitive Carriers of the South, Inc. CompSouths Responses to Verizons Initial Requests for Information and Motion for Confidential Treatment

08/29/16 David S. Samford Competitive Carriers of the South, Inc. Notice of Withdrawal of Participating Members

08/18/16 Verizon Long Distance, LLC Verizon First Set of Information Requests to CompSouth

08/09/16 Order Entered: AT&T Kentucky's motion to modify the Commission's procedural schedule is granted in part and denied in part. 2. The procedural schedule set forth in the Appendix to this Order shall be followed.

08/08/16 L. Allyson Honaker Competitive Carriers of the South, Inc. Exhibits to Testimony of Joseph Gillan

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08/04/16 L. Allyson Honaker Competitive Carriers of the South, Inc. Testimony of Joseph Gillan on behalf of CompSouth

07/14/16 Cheryl R Winn BellSouth Telecommunications, LLC d/b/a ATT Kentucky ATT Kentuckys Reply in Support of Motion to Modify Schedule to Provide for Briefs and Possible Oral Argument

07/13/16 Verizon Long Distance, LLC Verizon Response and Agreement to Motion to Modify Schedule

07/13/16 L. Allyson Honaker Competitive Carriers of the South, Inc. Response to ATT Kentuckys Motion to Modify Schedule

07/07/16 Cheryl R. Winn BellSouth Telecommunication, LLC d/b/a ATT Kentucky Motion to Modify Schedule to Provide for Briefs and Possible Request for Oral Argument

06/23/16 Order Entered: The procedural schedule set forth in the Appendix to this Order shall be followed.

03/15/16 David S. Samford Notice of Substitution of Counsel and Statement of Electronic Transmission Capabilities.

02/05/16 Cheryl R. Winn Notice of Substitution of Counsel and Statement of Electronic Filing for for BellSouth Telecommunications, LLC d/b/a ATT Kentucky; ATT Kentuckys Motion for Leave to File a Response to CompSouths Submission of Supplemental Citations; and ATT Kentuckys Respo

02/05/16 Verizon Long Distance, LLC Read 1st Cover Letter  
Verizons Response to Supplemental Citations

01/20/16 Luke Morgan Request for Leave to Supplement the Record with Citations

01/12/16 Competitive Carriers of the South, Inc. Supplemental Citations with attached decisions

11/23/15 Luke Morgan statement on electronic filing procedures and 1st read letter

11/19/15 Robert C. Moore Statement of Electronic Filing Procedures

11/18/15 Order Entered: 1. AT&T Kentucky's motion to withdraw its October 12, 2015 response is granted. 2. AT&T Kentucky's request to replace the October 12, 2015 response with the amended response is granted. 3. The original October 12, 2015 response shall be removed from the official record of this case.

11/17/15 Order Entered: 1. The motion of Verizon to intervene is granted. 2. Verizon shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. Verizon shall comply with all provisions of the Commission's regulation, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days from the date of this Order, Verizon shall file a written statement with the Commission that: a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

11/16/15 Kathleen Campbell Statement of electronic filing procedures.

11/12/15 Order Entered: The motion of AT&T Kentucky to intervene is granted.  
2. AT&T Kentucky shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.  
3. AT&T Kentucky shall comply with all provisions of the Commission's regulation, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.  
4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days from the date of this Order, AT&T Kentucky shall file a written statement with the Commission that:  
a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and  
b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

11/12/15 Order Entered: The motion of CBT to intervene is granted.  
2. CBT shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.  
3. CBT shall comply with all provisions of the Commission's regulation, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.  
4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days from the date of this Order, CBT shall file a written statement with the Commission that:  
a. Certifies that it, or its agent, possesses the facilities to receive

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electronic transmissions: and  
b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

11/02/15 Reply Reply to Responses to CompSouth Application  
10/29/15 Order Entered: that replies to responses shall be filed no later than November 2, 2015.

10/20/15 Katherine K. Yunker Motion for Extension of the reply deadline to 11-2-15  
10/14/15 Robert C. Moore Motion to Withdraw and Substitute Response with Amended Response or, Alternatively, to Substitute with Redacted Response

10/12/15 Robert C. Moore Response to Application of CompSouth for a Declaratory Order  
10/12/15 Sandy Chandler MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services response to the application for declaratory order filed by Competitive Carriers of the South, Inc. on August 14, 2015.

10/12/15 Kathy Campbell Motion to Intervene and Response to CompSouth application for a declaratory order.  
10/12/15 Robert C. Moore Read 1st Letter revised (on letterhead)

09/24/15 Order Entered: 1. CompSouth's motion to deviate from 807 KAR 5:001, Section 8, and amend the procedural schedule is granted; 2. The electronic filing procedures in 807 KAR 5:001 Section 8, shall be followed in this case. 3. Responses to the petition for declaratory order, if any, shall be filed no later than October 12, 2015. 4. Motions to Intervene shall be filed no later than October 12, 2015. 5. Replies to responses, if any, shall be filed no later than October 26, 2015.

09/17/15 Competitive Carriers of the South Notice of Proof of Service  
09/16/15 AT&T Kentucky's Letter in Support of Compsouth's Motions  
09/08/15 Competitive Carriers of the South Inc. Motion to Deviate  
08/26/15 Order Entered: CompSouth shall serve a copy of the petition for declaratory order on all ILECs, CLECs, and CMRS providers in Kentucky no later than September 14, 2015, with proof of service filed with the Commission. 2. Responses to the petition for declaratory order, if any, shall be filed no later than October 5, 2015. 3. Motions to Intervene shall be filed no later than October 5, 2015. 4. Replies to responses, if any, shall be filed no later than October 19, 2015.

08/14/15 Acknowledge Receipt of Filing  
08/14/15 Competitive Carriers of the South, Inc. Application for a Declaratory Order Affirming that the Interconnection Regimes under KRS 278.530 and 47 U.S.C. § 251 are Technology Neutral for a Declaratory Order Affirming that the Interconnection Regimes under KRS 278.530 and 47 U.S.C. § 251 are Technology Neutral

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Total Number of Cases: 1