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February 23, 2007

Ms. Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602

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PUBLIC SERVICE
COMMISSION

Re: Brandenburg Telecom LLC, Complainant v. BellSouth
Telecommunications, Inc., Defendant
PSC 2006-00447

Dear Ms. O'Donnell:

BellSouth received Brandenburg's Motion for (1) Informal Conference and (2) Procedural Schedule filed on February 9, 2007, in the above-referenced case. While BellSouth welcomes the opportunity to attend an informal conference if the Commission would find it helpful to discuss the merits of BellSouth's pending Motion to Dismiss, BellSouth believes it would be premature at this time to set a Procedural Schedule. Brandenburg is asking the Commission to schedule a hearing and prehearing activities without first making a determination as to whether Brandenburg has stated a claim sufficient to allow the case to proceed. BellSouth believes the Commission should first determine whether Brandenburg's claim can survive the pending Motion to Dismiss, and should only set a procedural schedule if, after considering BellSouth's Motion, the Commission decides to deny the Motion.

BellSouth requests the Commission to deny Brandenburg's motion in part as it pertains to setting a Procedural Schedule, and looks forward to attending an informal conference if the Commission so desires. Thank you for your consideration.

Sincerely,



Mary K. Keyer

cc: Party of Record
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