

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 8, 2006

IN RE:

**JOINT PETITION FOR ARBITRATION OF NEWSOUTH)
COMMUNICATIONS CORP, NUVOX COMMUNICATIONS,)
INC., KMC TELECOM V, INC., KMC TELECOM III LLC, AND) DOCKET NO.
XSPEDIUS COMMUNICATIONS, LLC ON BEHALF OF ITS) 04-00046
OPERATING SUBSIDIARIES XSPEDIUS MANAGEMENT CO.)
SWITCHED SERVICES, LLC AND XSPEDIUS MANAGEMENT)
CO. OF CHATTANOOGA, LLC OF AN INTERCONNECTION)
AGREEMENT WITH BELL SOUTH TELECOMMUNICATIONS,)
INC.)**

ORDER GRANTING MOTION FOR EXTENSION OF TIME

This matter is before the Pre-Arbitration Officer of the Tennessee Regulatory Authority ("Authority") upon the filing of a *Motion for Extension of Time to File Cost Study* ("Motion") by BellSouth Telecommunications, Inc. ("BellSouth") on April 28, 2006. At the regularly scheduled April 17, 2006 Authority Conference, the Arbitrators considered Item 65 (Issue 3-6). During their deliberations, the Arbitrators voted unanimously to require BellSouth to submit a Total Element Long Run Incremental Cost ("TELRIC") study for the Tandem Intermediary Charge ("TIC") in a newly-created docket within thirty (30) days.¹

In the *Motion*, BellSouth requests that it be given ninety (90) days from the April 17, 2006 Authority Conference, or until July 17, 2006, to file the cost study. In support of its request, BellSouth asserts that it has not been required to prepare such a cost study in any other

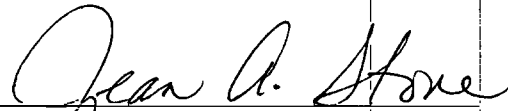
¹ See Transcript of Proceedings, pp. 39-40 (April 17, 2006).

state and, consequently, will need more than thirty (30) days in order to prepare the study.² NuVox Communications, Inc. and Xspedius Communications, LLC (for itself and on behalf of its operating subsidiaries) have not filed an objection to BellSouth's *Motion*.³

The Pre-Arbitration Officer finds that the *Motion* is reasonable and should be granted.

IT IS THEREFORE ORDERED THAT:

1. The *Motion for Extension of Time to File Cost Study* is granted.
2. BellSouth Telecommunications, Inc. shall file the TELRIC cost study for the Tandem Intermediary Charge in a newly-created docket no later than 2:00 p.m. on Monday, July 17, 2006.



Jean A. Stone, Counsel
as Pre-Arbitration Officer

² In the *Motion*, BellSouth affirms it will submit its best and final offer regarding the interim rate for the TIC on May 17, 2006, as directed by the Arbitrators during the April 17, 2006 Authority Conference.

³ KMC Telecom V, Inc. and KMC Telecom III, LLC have withdrawn from the arbitration. See *Order Accepting Withdrawal of Petition* (August 31, 2005).