

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF V.I.P. TELEPHONE )  
NETWORK, INC. FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY TO ) CASE NO. 95-025  
OPERATE AS A RESELLER OF LONG DISTANCE )  
SERVICES THROUGHOUT THE STATE OF )  
KENTUCKY )

O R D E R

On January 30, 1995, V.I.P. Telephone Network, Inc. ("V.I.P. Network") filed an application with the Commission seeking a Certificate of Public Convenience and Necessity to resell intrastate long-distance telecommunications services within the Commonwealth of Kentucky. V.I.P. Network is a Delaware corporation with its principal offices in the state of Maryland and intends to resell tariffed services of facilities-based carriers certified by this Commission. V.I.P. Network does not request authority to provide operator-assisted telecommunications services.

V.I.P. Network does not own or operate, nor does it intend to construct, any telecommunications transmission facilities within the Commonwealth of Kentucky. All intrastate telecommunications transmission services will be provided by an underlying carrier certified by this Commission.

The application provided by V.I.P. Network demonstrates its financial, managerial, and technical capability to provide utility service. The Commission finds that V.I.P. Network should be authorized to resell intrastate long-distance telecommunications

services within the Commonwealth of Kentucky. V.I.P. Network filed its proposed tariff on January 30, 1995. Upon review of the proposed tariff, the Commission finds that the rates proposed by V.I.P. Network, with the following modifications, should be approved as the fair, just, and reasonable rates to be charged. V.I.P. Network should file revised tariff sheets for the following items:

1. Refer to Original Sheet 15, Section 2.7.3, Deposits. Include language stating that interest will be accrued and refunded for customer deposits as prescribed by state law.

2. Refer to Original Sheet 17, Section 2.7.6(f), Payment and Billing.

a. Include language that meets the requirements of 807 KAR 5:006, Section 8(3)(h), regarding late payment penalties.

b. Include any charges involved with the discontinuation and reconnection of service.

3. Refer to Original Sheet 20, Section 3.1, Timing of Calls. Clarify the conflicting statements about when chargeable time ends.

4. Refer to Original Sheet 25, Section 4.3, V.I.P. 800 Services. Pursuant to Administrative Case No. 338<sup>1</sup> V.I.P. Network should file rates and conditions of service for enhanced services or should file a petition pursuant to KRS 278.512 and KRS 278.514 setting forth the reasons why the service should be exempt from regulation or subject to alternative regulation.

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<sup>1</sup> Administrative Case No. 338, Inquiry Into the Provision of Enhanced Services in Kentucky. Order Dated July 14, 1992.

5. Pursuant to 807 KAR 5:006, Section 6(3), include in the tariff the billing form, or its contents, to be used by V.I.P. Network.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, HEREBY ORDERS that:

1. V.I.P. Network be and it hereby is granted authority to resell intrastate long-distance telecommunications services within the Commonwealth of Kentucky upon filing its tariff pursuant to Ordering Paragraph 5 of this Order.

2. V.I.P. Network's authority to provide service is strictly limited to those services described in this Order and V.I.P. Network's application.

3. IntraLATA services shall be provided in accordance with the restrictions and conditions of service contained in Administrative Case No. 323.<sup>2</sup>

4. The rates proposed by V.I.P. Network on January 30, 1995, with the modifications discussed in the findings above, are hereby approved.

5. Within 30 days from the date of this Order, V.I.P. Network shall file, pursuant to 807 KAR 5:011, its January 30, 1995 tariff sheets with the modifications discussed in the findings above and which conform to the restrictions and conditions of service contained herein.

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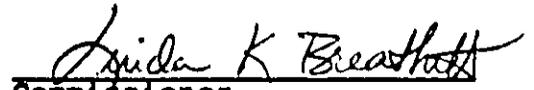
<sup>2</sup> Administrative Case No. 323, An Inquiry Into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality, Phase I, Order Dated May 6, 1991.

Done at Frankfort, Kentucky, this 20th day of March, 1995.

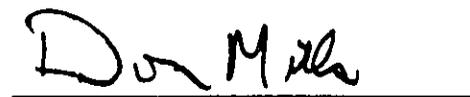
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Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director