

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NOTICE OF CONTINENTAL TELEPHONE)
COMPANY OF KENTUCKY OF AN ADJUST-) CASE NO. 8182
MENT IN ITS INTRASTATE RATES)

O R D E R

On April 27, 1984, Continental Telephone Company of Kentucky ("Continental") filed for a surcharge to the rates established in this docket. Continental's action was taken in response to the decision of the Court of Appeals which affirmed the surcharge imposed by the Franklin Circuit Court in 1982. The surcharge was imposed to allow Continental to recover certain revenue denied to it by reason of the Commission's toll revenue adjustment.

The decision of the Court of Appeals which affirmed the circuit court's reversal on the toll issue has been appealed to the Kentucky Supreme Court by the Attorney General of Kentucky. Accordingly, the Court of Appeals decision is not final¹ and the Commission must, accordingly, deny Continental's surcharge tariff.

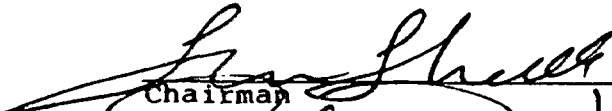
Based upon the above-stated findings of fact and being advised, the Commission HEREBY ORDERS that the surcharge tariff

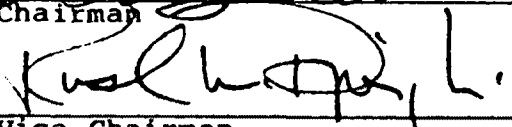
¹Civil Rule 76.30(2).

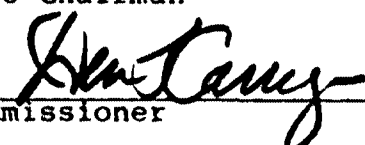
filed by Continental Telephone Company on April 27, 1984, be and
it hereby is denied.

Done at Frankfort, Kentucky, this 17th day of May, 1984.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary