

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF TOLL AND ACCESS )  
CHARGE PRICING AND TOLL SETTLEMENT )  
AGREEMENTS FOR TELEPHONE UTILITIES ) CASE NO. 8838  
PURSUANT TO CHANGES TO BE EFFECTIVE )  
JANUARY 1, 1984 )

REVISED ORDER OF PROCEDURE II and  
ORDER EXTENDING INTERIM PLAN

On January 3, 1984, the Commission established a revised Order of Procedure designed to proceed with a full investigation into the intrastate access charge tariffs filed by telephone companies.

On January 19, 1984, the Federal Communications Commission ("FCC") announced major revisions to its access charge decision in CC Docket 78-72. On January 25, 1984, South Central Bell Telephone Company ("SCB") filed a motion for a continuance of scheduled hearings generally, and a suspension of discovery citing increased uncertainty caused by the FCC's revisions and the probability of SCB being required to file a revised tariff with this Commission.

On February 3, 1984, on its own Motion, the Commission cancelled the hearing scheduled for February 7, 1984.

On February 10, 1984, counsel for the Commission corresponded with counsel for the telephone companies after confirming tele-

phone conferences wherein the various companies agreed to waive the suspension period and continue under the interim plan unless unforeseen problems developed requiring further action. SCB conditioned its waiver upon the condition that the Commission would permit SCB to file changes to its intrastate access tariff which FCC action in CC Docket 78-72 necessitated.

On February 17, 1984, the FCC announced revisions it was requiring in CC Docket 83-1145, wherein the National Exchange Carrier Association's tariffs were under review. In that 400+ page order, the FCC required additional supporting material and numerous revisions in the proposed tariffs. Conforming revised tariffs were to be filed on March 15, 1984, with an expected implementation date of April 3, 1984.

On February 23, 1984, the Commission sustained several motions which requested that the Commission hold this proceeding in abeyance pending the issuance of a new Order of Procedure.

The Commission, having considered the matter and being advised, HEREBY ORDERS that all telephone companies under this Commission's jurisdiction shall file a copy of all interstate and intrastate access tariffs, as revised, and supporting material as filed with the FCC in CC Docket 83-1145, on or before April 13, 1984. The revised access tariffs filed shall meet the following requirements:

- 1) No changes in section or page numbers shall be made except as specifically required by the FCC in CC Docket 83-1145. Required revisions shall be made without changes in section numbering. Section numbers of provisions required to be deleted shall not be used for new material, except where the new material is a replacement dealing with the same subject.

2) No revisions, corrections, alterations or other changes in the rates, terms, or conditions of the access tariff in the revised filing (other than to correct typographical errors such as spelling) shall be made except as specifically required or authorized by the FCC in CC Docket 83-1145. Notation or symbolization on intrastate tariffs shall conform to 807 KAR 5:011, Section 6; however, material issued without change need not be specifically marked as such.

3) The interstate tariffs filed shall contain, in a separate volume, the report required by the FCC in CC Docket 83-1145 by its February 17, 1984, order at paragraph 88.

Separate copies of the interstate material need not be filed by companies with identical tariffs. Those companies which are concurring in the tariffs of other entities shall so advise the Commission in writing, identifying specifically section-by-section which tariffs they have adopted for interstate purposes and those they wish to ultimately adopt for intrastate purposes, if different than for interstate.

IT IS FURTHER ORDERED that all telephone utilities desiring to file testimony and proposed tariff changes or revisions necessitated by the above-described FCC actions only shall do so by April 13, 1984.

IT IS FURTHER ORDERED that all Requests for Information to the telephone utilities shall be made in writing by May 4, 1984, and that all Responses shall be in writing and shall be due within 10 days from the date of the Request.

IT IS FURTHER ORDERED that a hearing be and it hereby is scheduled to commence on May 31, 1984, at 9:00 A.M., Eastern Daylight Time, in the Commission's offices at Frankfort,

Kentucky, for the purpose of cross-examining witnesses of the telephone utilities.

IT IS FURTHER ORDERED that Intervenors shall file testimony by June 22, 1984.

IT IS FURTHER ORDERED that all Requests for Information to Intervenors shall be made in writing by July 13, 1984, and that all Responses shall be in writing and shall be due within 10 days from the date of the Request.

IT IS FURTHER ORDERED that a hearing be and it hereby is scheduled to commence on August 1, 1984, at 9:00 A.M., Eastern Daylight Time, in the Commission's offices at Frankfort, Kentucky, for the purpose of cross-examining witnesses of Intervenors.

IT IS FURTHER ORDERED that the parties herein shall file briefs, indexed by subject matter, simultaneously, on August 22, 1984.

#### EXTENSION OF INTERIM PLAN

On December 29, 1983, the Commission issued an Interim Order in the above-styled proceeding which established interim access charges and an interim compensation plan to substitute for the then-existing settlements arrangements. This Order was later slightly modified by an Order entered January 19, 1984, which altered the billing and collection access tariffs set out in the original Order entered December 29, 1983. This later modification did not alter any other provision in the Commission's Order of December 29, 1983.

In its Interim Order of December 29, 1983, as modified by the Order entered January 19, 1984, the Commission anticipated a final resolution of the issues by April 3, 1984. Because of delays in final resolution of the issues resulting from FCC actions, and further to allow the Commission to fully explore the intrastate ramifications of the various issues, the Commission is of the opinion and FINDS that no change in the Kentucky-intrastate interim plan (including both access charges and the compensation agreements) as set out in its Orders entered December 29, 1983, and January 19, 1984, should be instituted without further investigation. The Commission is therefore of the opinion and FINDS that the interim plan and all provisions of its Orders entered December 29, 1983, and January 19, 1984, should remain in full force and effect until further Order by this Commission.

IT IS THEREFORE ORDERED that the provisions set out in the Commission's Orders in this proceeding entered December 29, 1983, and January 19, 1984, shall remain in full force and effect until further Order by this Commission.

Done at Frankfort, Kentucky, this 3rd day of April, 1984.

PUBLIC SERVICE COMMISSION

*Laura L. Murrell*  
Chairman *Richard W. ...*

*[Signature]*  
Vice Chairman

*Ann Carnegie*  
Commissioner

ATTEST:

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Secretary