

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of

KENTUCKY CABLE TELEVISION	)	
ASSOCIATION, INC.	)	
COMPLAINANT	)	
v.	)	CASE NO. 8973
	)	
SOUTH CENTRAL BELL TELEPHONE	)	
COMPANY	)	
DEFENDANT	)	

-and-

KENTUCKY CABLE TELEVISION	)	
ASSOCIATION, INC.	)	
COMPLAINANT	)	
v.	)	CASE NO. 8982
	)	
GENERAL TELEPHONE COMPANY	)	
OF KENTUCKY	)	
DEFENDANT	)	

O R D E R

On March 19, 1984, South Central Bell Telephone Company ("South Central Bell"), by counsel, filed its Request for Informal Conference stating that the question of the Commission's jurisdiction over pole attachment rates has been considered in Cases No. 8040, 8090, and Administrative Case No. 251 including 251-18. The Request states that South Central Bell is unclear as to which of the many issues are to be considered at the hearing scheduled April 24, 1984, and requests further direction from the Commission Staff in order to make appropriate preparation for the hearing. Finally, the Request states that South Central Bell objects to the use of the complaint procedure by the Kentucky

Cable Television Association ("KCTA") to raise issues previously determined by the Commission and states that a hearing should be limited to specific and narrowly defined areas.

On March 27, 1984, KCTA, by counsel, filed its Opposition to Request by South Central Bell for Informal Conference stating that 807 KAR 5:001, Section 4(4) authorizes conferences with the Commission Staff in order to provide opportunity for settlement of a proceeding or any of the issues and that South Central Bell makes no suggestion of any interest in settlement. KCTA also states that its Complaint and exhibits document its position and that South Central Bell is therefore sufficiently apprised of the issues. Finally, KCTA states that the Commission's expedited processing of CATV tariffs precluded KCTA from expounding fully on these matters and, further, that KCTA's use of the complaint procedure to resolve issues raised against South Central Bell has been expressly invited by the Commission.

The Commission, having considered the Request for Informal Conference, the Opposition to Request and being advised, is of the opinion and finds that the hearing scheduled April 24, 1984, should not be limited to specific and narrowly defined areas but because of the disparity between the pole attachment rates charged by South Central Bell and those charged by other telephone utilities should include consideration of the methodology previously established for determining rates applicable to CATV pole attachments and that the request for an informal conference should be denied.


IT IS THEREFORE ORDERED That the Request by South Central Bell for an informal conference be and it hereby is denied.

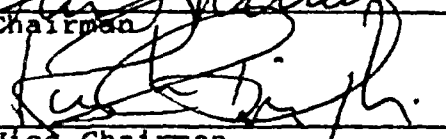
IT IS FURTHER ORDERED That the hearing scheduled April 24, 1984, at 9:30 a.m., be and it hereby is rescheduled for June 5, 1984, at 9:30 a.m., Eastern Daylight Time, in the Commission's offices at Frankfort, Kentucky.


IT IS FURTHER ORDERED That the hearing in Case No. 8982 (Kentucky Cable Television Association, Inc., Complainant v. General Telephone Company of Kentucky, Defendant) scheduled for April 25, 1984, at 9:30 a.m., be and it hereby is rescheduled for June 5, 1984, at 9:30 a.m., Eastern Daylight Time, in the Commission's offices at Frankfort, Kentucky, and consolidated with this case for hearing purposes.

Done at Frankfort, Kentucky, this 12th day of April, 1984.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

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Secretary