

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

O R D E R

Introduction

On December 9, 1987, the Commission released an Order in this case that, in part, adopted annual intrastate access services tariff filing procedures. On December 22, 1988, South Central Bell Telephone Company ("South Central Bell") filed a motion to deviate from these procedures. Also, on December 22, 1988, Cincinnati Bell Telephone Company ("Cincinnati Bell") filed correspondence seeking the same deviation.

Discussion

In the December 9, 1987 Order in this case, the Commission adopted procedures to expedite annual intrastate access services tariff filings. These procedures were designed to complement procedures used by the Federal Communications Commission ("FCC"). Accordingly, annual interstate access services tariff filings were made on October 1 to become effective the following January 1. Subsequent to FCC action, annual intrastate access services tariff filings were made on February 1 to become effective the following March 1.

Both South Central Bell and Cincinnati Bell observe that the FCC has modified 1989 annual interstate access services tariff filing procedures.¹ In 1989, annual interstate access services tariff filings were made on January 1 to become effective the following March 1. Therefore, South Central Bell moves the Commission to deviate from annual intrastate access services tariff filing procedures in 1989.

In the opinion of the Commission, South Central Bell's motion to deviate should be granted, as it will not prejudice any party and is consistent with the Commission's intent. Furthermore, on its own motion, the Commission grants the opportunity to deviate to Cincinnati Bell and all other local exchange carriers. Accordingly, in 1989, local exchange carriers opting to make an annual intrastate access services tariff filing should notify the Commission, the Attorney General of the Commonwealth of Kentucky, through his Utility and Rate Intervention Division ("Attorney General"), interLATA² carriers, and WATS³ resellers by letter no later than April 1. Actual 1989 annual intrastate access services tariff filings should be made no later than May 1 with a scheduled effective date the following June 1.

¹ CC Docket No. 88-326, Access Tariff Filing Schedules, Report and Order released September 14, 1988.

² Local Access and Transport Area.

³ Wide Area Telecommunications Service.

In addition, the Commission is aware that the FCC has modified annual interstate access services tariff filings procedures for 1990 and thereafter.⁴ In 1990 and thereafter, annual interstate access services tariff filings will be made on April 1 to become effective the following July 1. Therefore, on its own motion, the Commission will modify annual intrastate access services tariff filing procedures for 1990 and thereafter. Accordingly, in 1990 and thereafter, local exchange carriers opting to make annual intrastate access services tariff filings should notify the Commission, the Attorney General, interLATA carriers, and WATS resellers by letter no later than July 1. Actual 1990 and thereafter annual intrastate access services tariff filings should be made no later than August 1 with a scheduled effective date the following September 1.

As in the December 9, 1987 Order in this case, in order to facilitate comment on any controversial issues, local exchange carriers opting to make annual intrastate access services tariff filings should furnish copies to the Attorney General, interLATA carriers, and WATS resellers insofar as they are affected. Furthermore, as in any investigation, annual intrastate access services tariff filings should be accompanied with present and proposed demand price-out information, and a section-by-section itemized summary of revisions. Finally, in 1989, interested parties should file comments no later than May 15. In 1990 and

⁴ CC Docket No. 88-326, Access Tariff Filing Schedules, Report and Order released September 14, 1988.

thereafter, interested parties should file comments no later than August 15. These dates permit interested parties 2 weeks following any annual intrastate access services tariff filing to formulate comments.

The notice requirements outlined above are in addition to any publication of notice that may be necessary under the Commission's rules and regulations.

Findings and Orders

The Commission, having considered South Central Bell's motion and Cincinnati Bell's correspondence, and being sufficiently advised, is of the opinion and finds that:

1. South Central Bell's motion to deviate should be granted and the opportunity to deviate should be granted to Cincinnati Bell and all other local exchange carriers.

2. In 1989, the annual intrastate access services tariff filing procedures outlined in this Order should be adopted.

3. In 1990 and thereafter, the annual intrastate access services tariff filing procedures outlined in this Order should be adopted.

Accordingly, the above findings are HEREBY ORDERED.

Done at Frankfort, Kentucky, this 24th day of February, 1989.

ATTEST:

Executive Director

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner