

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

US SPRINT'S BANDED WATS SERVICE)
TARIFF FILING) CASE NO. 89-010

O R D E R

INTRODUCTION

On September 30, 1988, US Sprint Communications Company ("US Sprint") made a tariff filing to establish Banded WATS¹ Service. The tariff filing became effective on November 1, 1988, pursuant to the provision of 807 KAR 5:011, Section 9(1). On December 21, 1988, South Central Bell Telephone Company ("South Central Bell") filed a motion to consolidate the tariff filing with Administrative Case No. 323, An Inquiry Into IntraLATA² Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality. Also, South Central Bell moved the Commission to modify its acceptance of the tariff filing.

Banded WATS Service is an outbound toll service through which calls are originated using dedicated access facilities between the subscriber's premises and US Sprint's point of presence in the originating LATA. Calls are terminated using normal shared

¹ Wide Area Telecommunications Service.

² Local Access and Transport Area.

network facilities. Charges for Banded WATS Service are based on call duration, rate period, and total monthly usage within each rate period.

South Central Bell based its motions to consolidate and modify acceptance of the tariff filing on the premise that Banded WATS Service can generate unauthorized intraLATA traffic. Accordingly, South Central Bell contends that Banded WATS Service should be subject to: (1) any compensation arrangement that may be ordered in Administrative Case No. 323; and (2) usage reporting requirements ordered in the cases of other similar tariff filings.

DISCUSSION

South Central Bell has not filed a motion to intervene in the matter of US Sprint's Banded WATS Service tariff filing. However, its motions to consolidate and modify acceptance of the tariff filing signify intent to intervene. Therefore, on its own motion, the Commission will grant intervention, in order to address the other motions.

In terms of service configuration, Banded WATS Service is generically similar to other service offerings that have been approved by the Commission. These include service offerings provided by AT&T Communications of the South Central States, Inc. ("AT&T"), MCI Telecommunications Corporation ("MCI") and US Sprint. Examples are AT&T Megacom Service,³ MCI Prism I and Prism

³ AT&T Megacom Service was approved in Case No. 9874, AT&T Tariff Filing Proposing Megacom/Megacom 800 Service.

II Services,⁴ and US Sprint UltraWATS and Advanced WATS Services. In each case, the service offering can generate unauthorized intraLATA traffic. Also, other generically related service offerings have been approved that can generate unauthorized intraLATA traffic.⁵

South Central Bell has not filed a formal complaint or moved the Commission to investigate the Banded WATS Service tariff filing. Moreover, in the opinion of the Commission, an investigation would not serve any useful purpose. Similar tariff filings have been suspended, investigated, and approved subject to the terms and conditions that South Central Bell suggests should apply to the Banded WATS Service tariff filing. The Commission agrees that the terms and conditions that apply to other service offerings that can generate unauthorized intraLATA traffic should also apply to Banded WATS Service. Therefore, South Central Bell's motion to modify acceptance of the Banded WATS Service tariff filing should be granted.

⁴ MCI Prism I and Prism II Services were approved in Case No. 9828, MCI's Tariff Filing to Establish Prism Plus, Prism I, and Prism II Services.

⁵ These include AT&T Software Defined Network Service, approved in Case No. 9518, AT&T Communications' Tariff Proposal for Software Defined Network Service; AT&T Megacom 800 Service, approved in Case No. 9874; AT&T Readyline 800 Service, approved in Case No. 10106, AT&T Tariff Filing Proposing AT&T Readyline 800 Service; MCI 800 Service, approved in Case No. 10049, MCI's Tariff Filing to Introduce Metered Use Option H; US Sprint Ultra 800 and Direct 800 Services, approved in Case No. 9902, US Sprint's tariff filing Proposing to Rename its WATS Products, Change Billing Calculation Methods for WATS, Introduce UltraWATS, Travelcard, Direct 800, and Ultra 800; and Sprint Fonline 800 Service, approved in Case No. 89-002, US Sprint Fonline 800 Service.

Because the Commission is mandating that US Sprint comply with the same terms and conditions for Banded WATS Service that apply to other similar service offerings, it is not necessary to consolidate this matter with Administrative Case No. 323. Therefore, South Central Bell's motion to consolidate should be denied.

FINDINGS AND ORDERS

The Commission, having considered the Banded WATS Service tariff filing and South Central Bell's motions, and being sufficiently advised, is of the opinion and finds that:

1. On its own motion, the Commission should grant South Central Bell intervention in the matter of US Sprint's Banded WATS Service tariff filing.

2. South Central Bell's motion to modify acceptance of US Sprint's Banded WATS Service tariff filing should be granted.

3. South Central Bell's motion to consolidate US Sprint's Banded WATS Service tariff filing with Administrative Case No. 323 should be denied.

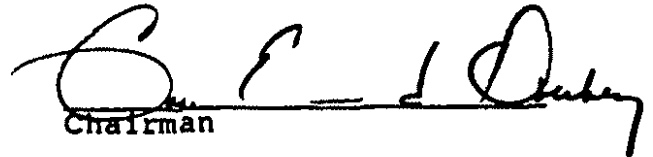
4. US Sprint should measure and report interstate and intrastate jurisdictional usage and interLATA and intraLATA usage associated with Banded WATS Service, and file usage reports with the Commission on a quarterly basis.


5. US Sprint should inform prospective Banded WATS Service customers that their use of the service to complete intraLATA calls is not authorized by the Commission.

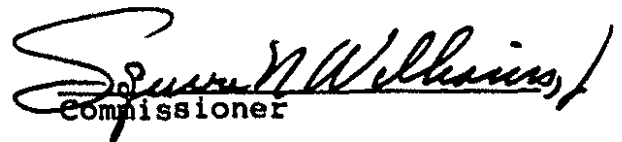
Accordingly, the above findings are HEREBY ORDERED.

Done at Frankfort, Kentucky, this 20th day of January, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director