

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PROVISION OF OPERATOR SERVICES )      CASE NO.  
BY AMERICALL SYSTEMS OF LOUISVILLE )      89-132

O R D E R

On June 14, 1990, AmeriCall Systems of Louisville ("AmeriCall") filed an application for a rehearing pursuant to KRS 278.400, requesting that the Commission rehear each and every one of the issues addressed in the May 25, 1990 Order. AmeriCall asserts three principal arguments.

First, AmeriCall seeks rehearing of the determination that it may not continue to provide intraLATA 0+ services. In support of its request, AmeriCall cites no additional evidence. The Commission has thoroughly considered all issues addressed by AmeriCall in this first argument and therefore will deny the request for rehearing.

Second, AmeriCall requests that the Commission clarify certain issues concerning the order that it must divest itself as owner of facilities. AmeriCall requests that the Commission authorize it to reacquire the facilities in a manner consistent with the Commission's future resolution of Administrative Case No.

323.<sup>1</sup> It is sufficient to state that at all times AmeriCall and all regulated utilities are to operate in a manner consistent with the Commission's lawful determinations.

AmeriCall further requests that the Commission clarify that any entity to which AmeriCall transfers the facility need not obtain Commission approval unless that entity falls within the ambit of KRS 278.010(3). It almost goes without saying that Commission approval is required of any jurisdictional utility. As always, any determination of whether a given entity is a utility as defined by KRS 278.010(3) will be addressed by the Commission on a case-by-case basis.

Finally, AmeriCall asserts that the basis for its application for rehearing is fully set forth in its March 22, 1990 brief and in the application for rehearing of AmeriCall Dial-O Services, Inc.<sup>2</sup> AmeriCall asserts that it has not waived any arguments raised in its brief. However, AmeriCall has offered no additional

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<sup>1</sup> Administrative Case No. 323, An Inquiry Into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality.

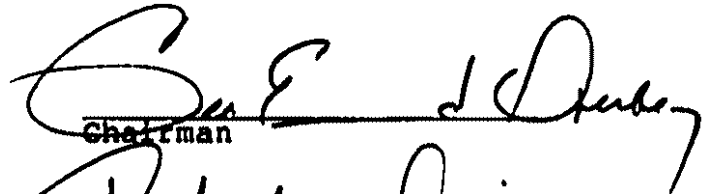
<sup>2</sup> Case No. 90-001, Investigation of Telecommunications Services by AmeriCall Dial-O Services, Inc., Alleged Violations of KRS Chapter 278.

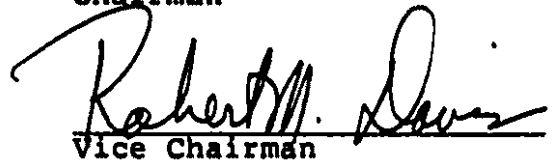
evidence. The Commission carefully considered each issue contained in the March 23, 1990 brief.

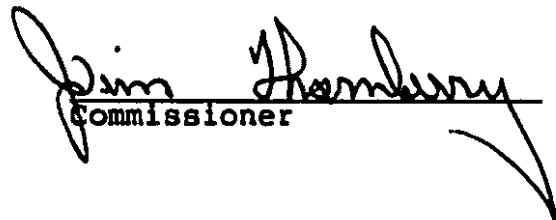
The Commission finds no basis for granting a rehearing on issues which it has already sufficiently considered. The Commission, having considered AmeriCall's application for rehearing and having been otherwise sufficiently advised, HEREBY ORDERS that AmeriCall's application for a rehearing is hereby denied.

Done at Frankfort, Kentucky, this 22nd day of June, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director