

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF AT&T COMMUNICATIONS ) CASE NO.  
TO IMPLEMENT FTS 2000 SERVICE TARIFF ) 89-276

O R D E R

On January 24, 1990, the Commission approved the contract between AT&T Communications and the General Services Administration for the provision of FTS 2000 service as it relates to Kentucky. AT&T Communications of the South Central States, Inc. ("AT&T") was ordered to maintain records of intrastate usage revenues and switched-access expenses associated with FTS 2000 service for Kentucky.

On February 13, 1990, South Central Bell Telephone Company ("South Central Bell") filed a motion for limited intervention and for modification of the Commission's January 24, 1990 Order. South Central Bell requested intervention for the purpose of requesting that the Commission's Order be modified to require AT&T to measure and report any intraLATA usage subject to any compensation that the Commission may require for local exchange carriers in Administrative Case No. 323.<sup>1</sup> In support of its

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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.

motion, South Central Bell stated that the FTS 2000 service offering is capable of completing "unauthorized" intraLATA calls. Further, the Commission had required US Sprint, the successful bidder for a portion of the FTS 2000 contract, to measure and report such intraLATA usage.<sup>2</sup>

On February 20, 1990, AT&T filed a response to South Central Bell's motion asserting that the motion was not in accord with the Commission's rules. AT&T asserts that South Central Bell has failed to meet the standards of 807 KAR 5:001, Section 3(8), that the motion was not timely, that South Central Bell will not help the Commission develop facts, and that the motion cannot be granted without unduly complicating or disrupting the proceeding. In its response, AT&T addressed only procedural issues and stated that it reserved the right to address the issues on the merits at a later time.

On March 5, 1990, South Central Bell filed a reply to AT&T's response stating that the Commission has wide discretion in ruling on procedural matters, that the Commission's rules do not prohibit a person from intervening 20 days after an Order is issued, and that its intervention would not unduly complicate the proceedings because it is requesting only that the Commission modify its Order to be consistent with an Order already issued in the companion case of US Sprint.

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<sup>2</sup> Case No. 89-170, US Sprint's Application for Approval of FTS 2000 Service, by Order dated October 24, 1989.

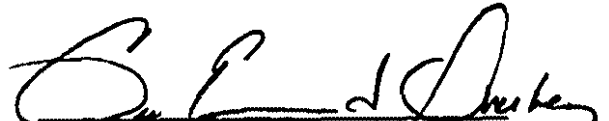
The Commission, having reviewed the motion, response, and reply, and having been otherwise sufficiently advised, hereby finds that South Central Bell's motion to intervene and motion to modify the Commission's Order should be granted. South Central Bell accepts the record in this proceeding and has assisted the Commission in identifying an inconsistency in Commission Orders. Granting this motion does not disrupt the proceeding, but on the contrary, requires AT&T to comply with the same reporting requirements to which US Sprint is subjected regarding identical contract services. This ruling is also in keeping with prior Commission Orders regarding services capable of "unauthorized" intraLATA call completion.

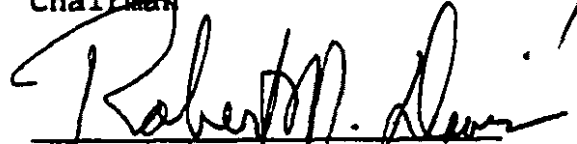
The Commission HEREBY ORDERS that:

1. South Central Bell is granted limited intervention for the purpose of identifying an inconsistency between the Commission's Orders in Case No. 89-170 and this case.
2. AT&T measure and report any intraLATA usage subject to compensation the Commission may require to local exchange carriers in Administrative Case No. 323.
3. AT&T shall have 20 days from the date of this Order to file a motion for reconsideration based on the merits of the issue.

Done at Frankfort, Kentucky, this 16th day of March, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

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Commissioner

ATTEST:

  
Executive Director