

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF COIN PHONE MANAGEMENT)	
COMPANY FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO PROVIDE)	CASE NO.
INTRASTATE TELEPHONE UTILITY SERVICES)	90-419
AS A NON-DOMINANT RESELLER)	

O R D E R

On August 28, 1990, the Commission received an application for a Certificate of Public Convenience and Necessity from Coin Phone Management Company ("Coin Phone Management"). Coin Phone Management has been engaged in the business of owning and controlling the operation of customer-owned coin-operated telephones ("COCOTs"). On October 31, 1990, Coin Phone Management filed motions to docket its application for a certificate, to confirm the effective date of proposed tariffs; and to confirm that no certificate is necessary, or in the alternative, to grant an interim certificate. On December 6, 1990, Coin Phone Management filed a second motion for interim certificate and interim approval of its tariffs.

In Administrative Case No. 293,¹ the Commission determined that COCOTs were not utilities and therefore not subject to the Commission's jurisdiction.

¹ Administrative Case No. 293, An Inquiry Into Local Resale of Exchange Services by STS Providers and COCOT Providers. Orders Dated April 16, 1986 and November 11, 1986.

The Commission initiated Administrative Case No. 337² to investigate and review the utility status of COCOTs. The Commission's investigation will determine whether persons who own, control, operate, or manage COCOTs are utilities as defined by KRS 278.010(3)(e). By the same Order, the Commission stated that Coin Phone Management's application will be held in abeyance pending the outcome of Administrative Case No. 337.


The Commission, having been otherwise sufficiently advised, **HEREBY ORDERS** that:

1. Coin Phone Management's application shall be held in abeyance pending Administrative Case No. 337.

2. Coin Phone Management's motion to docket its application is hereby granted. However, Coin Phone Management is currently not classified as a utility. Accordingly, its motions to confirm the effective date of its tariffs and to confirm that no certificate is necessary, or to grant an interim certificate, are hereby denied.

Done at Frankfort, Kentucky, this 19th day of December, 1990.


PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director


Commissioner

² Administrative Case No. 337, The Investigation and Review of Customer-Owned Coin-Operated Telephone Regulation. Order Dated November 26, 1990.