

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JAMES D. WOOD	)	
AND	)	
MELINDA M. WOOD	)	
	)	
COMPLAINANTS	)	CASE NO. 90-417
	)	
V.	)	
	)	
SOUTH CENTRAL BELL	)	
TELEPHONE COMPANY	)	
	)	
DEFENDANT	)	

O R D E R

On December 3, 1990 the complainants, James D. and Melinda M. Wood (collectively the "Woods"), filed a formal complaint against South Central Bell Telephone Company ("SCB") and/or the Public Service Commission. In their complaint, the Woods state that while they reside in the community of Shady Grove, which is located in Crittenden County, they receive telephone service from SCB's Providence exchange out of Webster County. The Woods request either that tolls be eliminated for calls between their community and the remainder of Crittenden County, or that a "calling option" be offered for such calls.

By Order dated December 20, 1990, SCB was directed either to satisfy the matters complained of or to provide a written answer to the complaint. SCB's response was filed on January 10,

1991. In its response,<sup>1</sup> SCB stated that telephone service to the Woods is provided in accordance with the Public Service Commission's Order of February 21, 1980 in Administrative Case No. 218<sup>2</sup> and SCB's applicable tariffs approved by the Commission. In the referenced Order in Administrative Case No. 218, the Commission directed that all telephone utilities observe the integrity of the established exchange boundaries except in those instances where, upon application, a deviation is granted by the Commission for good cause shown.<sup>3</sup>

This situation described by the Woods is not unique. A review of the tariffs filed by each of the 21 Local Exchange Companies, such as SCB, operating within Kentucky has revealed that there are 106 of 120 counties within the Commonwealth where at least some portion of the subscribers residing within those counties cannot call their county seat without paying toll charges. Additionally, there are numerous other instances where subscribers cannot call the closest city or town which would be described as their "community of interest" without paying toll charges.

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<sup>1</sup> Answer of South Central Bell Telephone Company, page 1.

<sup>2</sup> Administrative Case No. 218, Telephone Utilities Exchange Boundaries.

<sup>3</sup> Id., page 3.

In Administrative Case No. 323,<sup>4</sup> the Commission has found intraLATA competition to be in the public interest. Such competition could be expected to produce competitive alternatives to subscribers such as the Woods, thereby providing "calling options" as requested by the Woods. While an immediate solution to the Woods' complaint would be to enlarge the local calling area and charge all subscribers correspondingly higher flat rates to cover the higher costs, such a solution would unjustly penalize those subscribers whose usage would not justify the higher monthly rates.

The Commission finds that SCB has complied with established policies in the provision of service to the Woods. The Woods do not allege any violation of law by SCB. The Woods have not alleged that SCB is treating them differently than any other customer served by an exchange located primarily in an adjoining county. Moreover, SCB is operating pursuant to its schedules of rates and conditions. SCB's rates and services are not unreasonable, unjust, or discriminatory. Thus, deviation from established policies is not warranted in this case. Accordingly, the Commission finds that no hearing is necessary for the

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<sup>4</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.

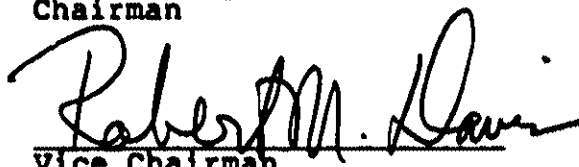
protection of substantive rights and the petition should be denied.

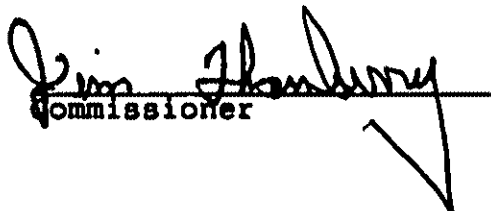
Having been otherwise sufficiently advised, the Commission HEREBY ORDERS that the Woods' petition of December 3, 1990 is dismissed.

Done at Frankfort, Kentucky, this 2nd day of April, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director