

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                 |   |                |
|---------------------------------|---|----------------|
| THE INVESTIGATION AND REVIEW OF | ) |                |
| CUSTOMER-OWNED, COIN-OPERATED   | ) | ADMINISTRATIVE |
| TELEPHONE REGULATION            | ) | CASE NO. 337   |

O R D E R

The Commission has established, by Orders dated October 7, 1991, November 8, 1991, January 21, 1992, and February 28, 1992, the conditions for customer-owned, coin-operated telephone ("COCOT") service. As a result of the Commission's findings in this proceeding, all COCOTs were ordered to provide tariffs with specific minimum filing requirements. On December 24, 1991, Kroger Company ("Kroger") filed its tariff which did not contain the minimum filing requirements. The Commission suspended Kroger's tariff on January 16, 1992.

Kroger's tariff should be revised to contain the following requirements in compliance with the Commission's prior Orders in this proceeding.

(a) Kroger does not charge rates that exceed AT&T's maximum approved rates for interLATA calls and, upon implementation of intraLATA competition pursuant to PSC Administrative Case No. 323, Phase I, LEC rates for intraLATA calls. "Maximum approved rates" is defined to mean the rates approved by this Commission in AT&T's and LECs' most recent rate proceeding for measured toll service applicable to operator-assisted calls, as well as the additional

charges for operator assistance. Kroger does not include any other surcharges and does not bill for uncompleted calls. Time-of-day discounts are also applicable. Kroger rates calls using the same basis that AT&T or the LECs use to rate calls, i.e., distance calculations based on points-of-call origination and termination, definitions of chargeable times, billing unit increments, rounding of fractional units, and minimum usages.

(b) Kroger does not allow access to the services of competing carriers to be blocked or intercepted. Violators will be subject to immediate termination of service after 20 days' notice to the non-complying customer.

(c) Access to the local exchange carrier's operators shall not be blocked or otherwise intercepted. Specifically, all "0-" calls, that is, when an end-user dials zero without any following digits, shall be directed to the local exchange carrier operators. In equal access areas, "0+" intraLATA calls shall not be intercepted or blocked. "0+" calls occur when an end-user dials zero and then dials the digits of the called telephone number. In non-equal access areas, it is prohibited to block or intercept "0-" calls; however, it is permissible to intercept "0+" calls. Violators will be subject to immediate termination of service after 20 days' notice to the non-complying customer to which Kroger is presubscribed for operator services.

(d) Where an end-user utilizing Kroger dials "0+" seven or ten digits for an intraLATA call, Kroger will not intercept or block the call, but will allow it to be carried by the LEC.

(e) Where an end-user utilizing Kroger dials .10XXX-0+, Kroger will allow the call to be carried by the identified carrier.

(f) Kroger is not required to provide access codes of competitors.

(g) Kroger provides stickers to be placed near or on its telephone equipment specifying the name, address, and telephone number of the entity presubscribed for operator services. Violators are subject to immediate termination of service after 20 days' notice to the non-complying customer.

(h) Kroger requires that if an operator service provider rates and bills calls, then the operator service provider must be identified to end-users at least once during every call before any charges are incurred.

(i) Kroger provides a way for any caller, upon request, to be informed as to the applicable rates.

(j) Kroger does not accept calling cards for billing purposes if it is unable to validate the card.

(k) Kroger carries intraLATA calls only if the carrier that carries the call is authorized to carry intraLATA traffic.

(l) Payphone services in correctional facilities and mental health facilities are provided by Kroger in accordance with the following requirements: Inmate phone service will only provide automated collect and debit card service for local and long-distance calls from payphones located at correctional or

mental health facilities in accordance with institutionally authorized telephone programs.

(m) Kroger charges the following rates for "1+" sent paid (cash) calls \_\_\_\_\_.

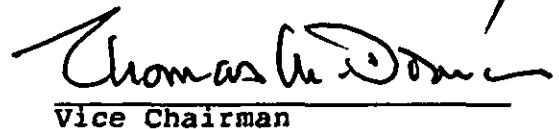
Kroger should also include on its tariff any additional rate or condition of service applicable to its provision of utility service.

IT IS THEREFORE ORDERED that Kroger shall refile its tariff with substantially the same language as shown above in the minimum filing requirements and any other rates or conditions within 30 days of the date of this Order.

Done at Frankfort, Kentucky, this 24th day of April, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director