

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF BUSINESS CHOICE)
NETWORK, INC. FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY) CASE NO. 91-343
AS A RESELLER OF TELECOMMUNICA-)
TIONS SERVICES WITHIN THE STATE OF)
KENTUCKY)

O R D E R

On September 24, 1991, Business Choice Network, Inc. ("Business Choice") filed its application with the Commission seeking a Certificate of Public Convenience and Necessity to provide intrastate, long-distance telecommunications services as a reseller within the Commonwealth of Kentucky.

Business Choice is a Virginia corporation proposing to resell AT&T Communications of the South Central States, Inc.'s tariffed services to small and medium-sized businesses within the Commonwealth of Kentucky in accordance with the terms and conditions set forth in its tariff. Business Choice is not seeking authority to provide any operator-assisted telecommunications services.

Business Choice employs no transmission or reception telecommunications equipment or facilities in the performance of its services and all operating facilities, equipment and networking will be provided by the underlying carrier. Order processing and customer billing shall be provided by Business Choice.

In Business Choice's December 18, 1991 response to the Commission's November 20, 1991 Order, they informed the Commission that money had been collected for non-certified service. This alleged violation was resolved in Case No. 92-026 by Commission Order dated March 24, 1992.¹

The application provided by Business Choice demonstrates its financial, managerial, and technical capability. The rates proposed should be approved as the fair, just, and reasonable rates to be charged.

The Commission, having considered the application, the information provided by Business Choice, and being otherwise sufficiently advised, HEREBY ORDERS that:

1. Business Choice be and it hereby is granted authority to provide intrastate, long-distance telecommunications services within the Commonwealth of Kentucky on and after the date of this Order.

2. Business Choice shall comply with the provisions of the Orders in Administrative Case No. 323.²

¹ Case No. 92-026, Business Choice Network, Inc. - Alleged Violation of KRS 278.020 and KRS 2778.160.

² 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, Orders dated May 6, 1991 and January 23, 1992 (imputation of access charges).


3. Business Choice's authority to provide service in this Commonwealth is strictly limited to those services described in this Order and Business Choice's application.

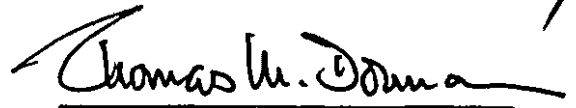
4. The rates proposed by Business Choice are hereby approved.

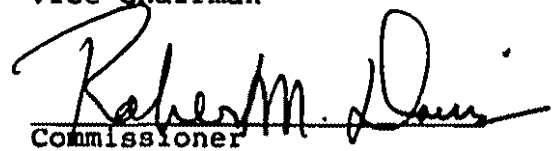
5. Within 30 days from the date of this Order, Business Choice shall file its tariff sheets in accordance with 807 KAR 5:011 to conform to the restrictions and conditions of service contained herein.

Done at Frankfort, Kentucky, this 22nd day of April, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director