

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF PHOENIX NETWORK, INC.)	
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY AS A NON-DOMINANT CARRIER)	CASE NO. 91-409
TO OFFER COMPETITIVE INTRASTATE)	
INTERLATA SERVICES)	

O R D E R

On November 1, 1991, Phoenix Network, Inc. ("Phoenix Network") filed an application seeking a Certificate of Public Convenience and Necessity to provide long-distance intrastate interLATA resold telecommunications services within the Commonwealth of Kentucky. On December 30, 1991 and March 9, 1992, the Commission ordered Phoenix Network to file additional information. Phoenix Network filed its response to the December 30, 1991 Order on February 14, 1992. Phoenix Network filed its response to the March 9, 1992 Order on March 27, and April 1, 1992.

As a result of Phoenix Network's responses to the requests for additional information, the Commission initiated an investigation into the unauthorized provision of service as Case No. 92-172.¹ Phoenix Network and Commission staff entered a settlement agreement which the Commission adopted on July 22, 1992.

Phoenix Network is organized as a corporation in the state of Delaware. The financial, managerial, and technical capabilities of Phoenix Network have been demonstrated in the application. Phoenix

¹ Case No. 92-172, Phoenix Network, Inc., Alleged Violation of KRS 278.020 and KRS 278.160.

Network does not own and/or operate any transmission facilities in any jurisdiction. Phoenix Network will resell tariffed services offered by facilities-based interexchange carriers.

Phoenix Network has not requested authority to provide operator-assisted services and only requests authority to provide long-distance interLATA resold telecommunications services.

The Commission, having considered the application of Phoenix Network, its supporting exhibits, the information provided by Phoenix Network in response to the Commission's Orders, and being otherwise sufficiently advised, finds that Phoenix Network should be granted authority to provide long-distance intrastate interLATA resold telecommunications services within the Commonwealth of Kentucky.

IT IS THEREFORE ORDERED that:

1. Phoenix Network be and it hereby is granted authority to provide long-distance intrastate interLATA resold telecommunications services.

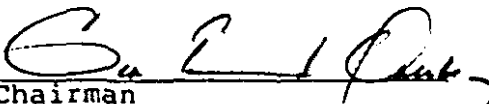
2. This authority to provide service is strictly limited to those services described in this Order, Phoenix Network's application, and conditions described in this Order.

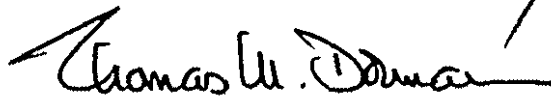
3. The rates proposed by Phoenix Network are hereby approved.

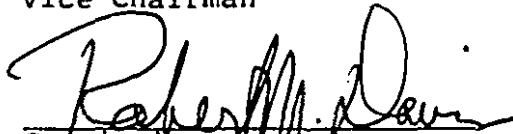
4. Within 30 days from the date of this Order, Phoenix Network shall file its November 1, 1991 proposed tariff as modified February 14, 1992, pursuant to 807 KAR 5:011.

Done at Frankfort, Kentucky, this 21st day of August, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director