

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF ALTERNATE)
COMMUNICATIONS TECHNOLOGY, INC. FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND) CASE NO. 91-441
NECESSITY TO PROVIDE TELECOMMUNICATION)
SERVICES)

O R D E R

IT IS ORDERED that Alternate Communications Technology, Inc. ("ACT") shall file the original and ten copies of the following information with the Commission. The information requested shall be placed in a bound volume with each item tabbed.

The information requested herein is due no later than 30 days from the date of this Order. If the information cannot be provided by this date, ACT shall submit a motion for an extension of time stating the reason a delay is necessary and include a date by which it can be furnished. Such motion will be considered by the Commission.

1. Has ACT or any of its affiliates ever provided and/or collected any money from the public for the provision of intrastate telecommunications services in Kentucky? If so, explain in detail.

2. If ACT intends to resell tariffed services of facilities-based carriers, identify these tariffed services and specify whether these services will be obtained from intrastate or interstate tariffs.

3. If ACT intends to resell services that are not available under an approved tariff, provide copies of the contracts which govern the terms of the agreement between ACT and its facilities-based carriers.

4. Does ACT, or any of its affiliates, own and/or operate any transmission facilities in any jurisdiction? If so, explain.

5. Is ACT aware that, at the present time, the Commission permits intraLATA competition only through the resale of local exchange companies' WATS?¹

6. Provide a clear and legible sketch showing all the switching locations and/or points-of-presence. Show how the facilities obtained from facilities-based carriers will be used to connect these locations. Include local access facilities and identify the local access that will be used.

7. If switching locations and/or points-of-presence are located outside the Commonwealth of Kentucky, explain how ACT will ensure that intrastate access charges will be paid.

8. Explain how ACT will screen intraLATA traffic if ACT intends to resell services or facilities authorized only for interLATA operation but which can carry intraLATA traffic.

9. Describe how calls will be transported from the customer's premises to the operator service centers. Include identification of ACT's switching locations, operator service locations, and identification of services and providers of the services being resold.

¹ Wide Area Telecommunications Service.

10. If the location of operator centers is not the same as switching location, specify the facilities and/or services used to bridge operators onto a call placed over the network.

11. Provide a description of how such calls are transported to final termination points. Specify the facilities and/or services used to terminate calls.

12. Provide a copy of all current contracts entered into with any business, institution, and/or corporation for the provision of operator-assisted services by ACT and/or any of its affiliates.

13. Explain in detail how ACT transfers calls to local exchange companies' operators when requested by an end-user.

14. Explain in detail how ACT transfers calls to competing carriers' operators when requested by an end-user.

15. Explain in detail ACT's calling card validation capabilities.

16. State whether ACT is aware of the potential impact of Administrative Case No. 328,² now pending before this Commission, and how it may apply to ACT's Kentucky operations.

17. Is ACT aware of, and able to comply with, the restrictions and conditions for the provision of intrastate operator services as ordered in Administrative Case No. 330?³

² Administrative Case No. 328, Investigation Into Whether WATS Resellers Should Be Included in the ULAS Allocation Process.

³ Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services.

18. Does ACT intend to provide any special/dedicated access services as defined in Administrative Case No. 330?

19. Is ACT aware of Administrative Case No. 337⁴ and how it may apply to ACT's Kentucky operations?

20. Provide revised tariff sheets setting forth the conditions and restrictions for COCOT services in compliance with the Commission's Orders in Administrative Case No. 337.

21. Provide a listing of financial institutions with which ACT has a line of credit. State ACT's credit line with each of these institutions.

22. Refer to Original Title Page of the proposed tariff. The description of services should be expanded to show that ACT will also offer operator-assisted and customer-owned, coin-operated telecommunications services. Provide a revised tariff sheet.

23. Refer to Original Sheet 8, Section 1.1, Paragraph 1, and Original Sheet 10, Paragraph 1.

a. Explain in detail the circumstances under which a customer-dialed station call could not be completed without operator assistance and how such circumstances comply with the blocking restrictions set forth in the March 27, 1991 Order in Administrative Case No. 330.

⁴ Administrative Case No. 337, The Investigation and Review of Customer-Owned, Coin-Operated Telephone Regulation.

b. The service provided under the definition of "Operator Station" (page 9) and "Station to Station" appear to be substantially the same. Is direct dial station to station service, which does not require operator assistance, available?

c. What are the equipment limitations which would prevent the user from placing a direct dial station to station call?

d. With reference to the last sentence in Paragraph 1, Page 10, concerning billing as a credit card call, is this the customer dialed calling card rate or operator dialed calling card rate (page 47)?

24. Refer to Original Page 11, Section 2.1.1. Provide a revised tariff sheet clarifying that service is interLATA only except for resold WATS.

25. Refer to Original Page 16, Section 2.3.2.D. Provide a revised tariff sheet showing that ACT will comply with the conditions and restrictions set forth in the Commission's Orders in Administrative Case No. 330.

Non-recurring charges and recurring monthly charges may be charged in advance; however, usage charges must be billed in arrears. Provide a revised tariff sheet.

26. Refer to Original Page 25, Section 2.13. 807 KAR 5:006, Section 11, sets out the conditions and notice requirements under which service may be discontinued. Provide a revised tariff sheet in compliance with the regulation.

27. Refer to Original Page 25, Sections 2.11.3 and 2.12. 807 KAR 5:006, Section 7, allows a utility to require a deposit to ensure payment of bills. Interest must be paid on such deposits in accordance with KRS 278.460 and the Commission's Order in Case No. 89-057.⁵

28. Refer to Original Page 27, Section 2.14.3.B. A utility may assess a late payment penalty to delinquent bills, but cannot charge interest. The penalty may be assessed only once to each delinquent monthly bill. Any payment received is to be applied first to the bill for services rendered. Penalties assessed to subsequent bills cannot be assessed on unpaid penalty charges. Provide a revised tariff sheet.

29. Refer to Original Page 28, Section 2.14.3. Allowance of expenses incurred in collection actions, such as attorney's fees, falls within the jurisdiction of the court hearing the action. Provide a revised tariff sheet either deleting this section or adding the phrase "as may be determined by a court having jurisdiction over the parties."

30. Refer to Original Page 29, Section 2.14.4.E. Provide a revised tariff sheet clarifying that ACT will not complete calling card calls if the card cannot be validated.

31. Refer to Original Page 30, Section 2.14.5. Provide a revised tariff sheet showing the dollar amount to be charged for a returned check.

⁵ Case No. 89-057, Investigation Into the Customer Deposit Policy of Kentucky Power Company.

32. Refer to Original Page 32 and 33 Section 2.16.1 and 2.16.2. 807 KAR 5:006, Section 11, sets out the conditions, including notice, under which service may be discontinued. Also, a utility cannot require its customers to secure or provide rights-of-way on property owned by others. Provide a revised tariff sheet deleting this requirement and setting out the conditions for discontinuance of service, including notice, in compliance with the above-cited regulation.


33. Refer to Original Pages 36 and 37. Provide revised tariff sheets setting out in detail the conditions and restrictions for operator-assisted services in compliance with the Commission's Orders in Administrative Case No. 330.

34. Refer to Original Pages 39 and 40. Provide a revised tariff sheet clarifying that services other than resold WATS are interLATA only.

IT IS FURTHER ORDERED that ACT's request for waiver of the Commission's requirement of a proforma Kentucky operating statement is granted.

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

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director