

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AMER-I-NET SERVICES CORP. APPLICATION)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A RESELLER) CASE NO. 93-028
OF INTER-LATA TELECOMMUNICATIONS)
SERVICES)

O R D E R

IT IS ORDERED that AMER-I-NET SERVICES CORP. ("AMER-I-NET") shall file the original and 10 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, AMER-I-NET 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 AMER-I-NET or any of its affiliates ever provided and/or collected any money from the public for the provision of intrastate telecommunications services in the Commonwealth of Kentucky? If so, explain in detail.

2. Does AMER-I-NET or any affiliate own and/or operate any coin-operated telephones in any jurisdiction? If so, explain.

3. Identify the tariffed services AMER-I-NET intends to resell and the carriers which provide them.

4. If AMER-I-NET intends to resell services that are not available under an approved tariff, provide copies of the contracts which govern the terms of the agreements between AMER-I-NET and its facilities-based carriers.

5. Provide a toll-free number or provision for accepting collect calls for customer complaints.

6. Refer to Original Pages 21-23 and 26-27 of AMER-I-NET's proposed tariff. The services described on these pages indicate Pennsylvania as a service area. AMER-I-NET's tariff filed with this Commission shall govern only those services which are provided within the Commonwealth of Kentucky. Provide revised tariff sheets correcting this inconsistency.

7. Provide revised tariff sheets for the following items:

a. Refer to Original Page 26 of AMER-I-NET's proposed tariff. Subsection 3.10.6, "On-Net Talk America Program," should be correctly identified as subsection 3.10.5.

b. Refer to Original Page 8, Section 2.2.2. A utility may terminate service without notice only where a dangerous condition is found to exist or for theft or illegal use of service.

c. Refer to Original Page 10. Add the following language at the end of Section 2.4.5:

Acceptance by the Commission of the liability provisions contained in this tariff does not constitute its determination that the limitation of liability imposed by the company should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the

validity of the exculpatory provisions of this tariff.

d. Refer to Original Page 13, Section 2.12(c). Include clarifying language stating that a utility shall not terminate or refuse service to any customer for noncompliance with its tariffed rules or Commission regulations without first having made a reasonable effort to obtain customer compliance. Also, service may be terminated or refused only after the customer has been given at least 10 days written notice.

e. Refer to Original Page 14, Section 2.12(d). Include language explaining that under no circumstances shall service be terminated before 20 days after the mailing date of the original unpaid bill.

f. Refer to Original Page 14, Section 2.12(e-h). Clarify that a utility may terminate service without notice only where a dangerous condition is found to exist or for theft or illegal use of service.

g. Refer to Original Page 15, Section 2.13. Clarify that the utility will comply with all provisions of 807 KAR 5:061, Section 25.

h. Refer to Original Page 15, Section 2.14. Specify what processing or installation fees would be waived.

i. Refer to Original Page 17, Section 3.2. A utility shall file any special contracts in accordance with 807 KAR 5:011, Section 13, with 30 days notice to the Commission.

j. Refer to Original Page 29, Section 3.10.8. Include the rates charged for AMER-I-NET DDS On-Line Serviced, or state

this service will be provided pursuant to a special contract on file with the Kentucky Public Service Commission.

k. Pursuant to 807 KAR 5:006, Section 6(3), each utility shall include the billing form to be used, or its contents, in its tariffed rules.

Done at Frankfort, Kentucky, this 3rd day of March, 1993.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director