

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF US WATS, INC. FOR	)	
A CERTIFICATE OF PUBLIC CONVENIENCE	)	CASE NO. 93-266
AND NECESSITY TO PROVIDE INTRASTATE	)	
TELECOMMUNICATIONS SERVICES	)	

O R D E R

IT IS ORDERED that US WATS, INC. ("US WATS") 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, US WATS shall submit a motion for an extension of time stating the reason a delay is necessary and include a date by which the information can be furnished. Such motion will be considered by the Commission.

1. Provide revised tariff sheets for the following items:
  - a. Provide a cover page that complies with the provisions of 807 KAR 5:011, Section 3(4).
  - b. Refer to Original Sheet 2, Check Sheet, of your proposed tariff. Include Original Sheet 20 on the Check Sheet.
  - c. Refer to Original Sheet 5, Item B, of your proposed tariff. Delete the sentence that begins with "Because."

d. Refer to Original Sheet 6, Carrier, defined in your proposed tariff. Correct the spelling of "WilTel" included under this item.

e. Refer to Original Sheet 8, Heading 2.1.4, of your proposed tariff. Delete the word "hereinunder" from the beginning of line 2.

f. Refer to Original Sheet 8, Heading 2.2.1, of your proposed tariff. Remove the clause "or both facilities and equipment" from the sentence.

g. Refer to Original Sheet 9, Heading 2.3.1, of your proposed tariff. Insert at the end of the sentence "as approved by all applicable administrative agencies."

h. Refer to Original Sheet 10, Section 2.4, Liability of Carrier, in your proposed tariff. Insert a new Heading 2.4.5 and include in it this language:

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.

i. Refer to Original Sheet 12, Heading 2.9.1, Termination by Customer, in your proposed tariff. Substitute the following language under this heading:

Any customer desiring service terminated or changed shall give the utility three working days notice in person, in writing, or by telephone, provided such notice does not violate contractual obligations or tariff provisions.

j. Refer to Original Sheet 13, Heading 2.16.1, Returned Checks. Provide justification for charging 5 percent of a returned check's amount.

k. Refer to Original Sheet 15, Subheading 2.22.2.A, Formula. Correct the formula to show:

$$\sqrt{\frac{(V1-V2)^2 + (H1-H2)^2}{10}}$$

l. Refer to Original Sheet 15, Heading 2.24.1, Minimum Call Completion Rate, in your proposed tariff. Delete the language contained in parentheses.

m. 807 KAR 5:006, Section 6(3), requires each utility to include its billing format or the contents of such a form in its tariff on file with the Commission. Provide such a billing format in your proposed tariff.

n. Refer to Original Sheet 14, Subheading 2.18.1, Rate Flexibility, in your proposed tariff. Delete this subheading from your proposed tariff.

o. Refer to Original Sheet 13, Subheading 2.13.1, Denial of Service, in your proposed tariff. Insert "and KYPSC" after Federal Communications Commission in the fourth line.

p. Refer to Original Sheet 11, Heading 2.8, Refusal or Discontinuance by Company. Insert a new Subheading 2.8.1.F and include in it this language: USW will refuse or terminate service pursuant to the provisions of 807 KAR 5:006, Section 14.

q. Refer to Original Sheet 12, Heading 2.12.1, Right to Backbill for Improper Use of Company's Services, in your proposed

tariff. Clarify that the 1.5 percent late payment penalty will be assessed only once on any bill for rendered services and that any payment received shall first be applied to the bill for service rendered.

r. Refer to Original Sheet 11, Heading 2.6.1 of your proposed tariff.

(1) Is there an amount of time that service would have to be off before a reduction in the customer's bill would be computed?


(2) State in your proposed tariff what formula is used in arriving at an amount credited to a customer's account for failure of service.

Done at Frankfort, Kentucky, this 16th day of September, 1993.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director