

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

THE APPLICATION OF DELTACOM, INC. FOR AUTHORITY) CASE NO.
TO OPERATE AS A RESELLER OF TELECOMMUNICATIONS) 94-201
SERVICES WITHIN THE COMMONWEALTH OF KENTUCKY)

O R D E R

On May 19, 1994, DeltaCom, Inc., d/b/a/ DeltaCom Long Distance Services, Inc. ("DeltaCom, Inc.") submitted 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.

DeltaCom, Inc. is an Alabama corporation proposing to resell the services of carriers currently certified within the Commonwealth of Kentucky in accordance with the terms and conditions set forth in its tariff. DeltaCom, Inc. is not seeking authority to provide operator-assisted telecommunications services.

DeltaCom, Inc. employs no transmission or reception telecommunications equipment or facilities in the performance of its services, and all facilities, equipment, and networking will be provided by the underlying carrier. DeltaCom, Inc. will not construct any new facilities in the Commonwealth of Kentucky.

The information provided by DeltaCom, Inc. demonstrates its financial, managerial, and technical capability to provide intrastate, long-distance telecommunications service. The proposed rates as submitted May 19, 1994 should be approved as the fair,

just, and reasonable rates to be charged, with the following revision:

1. Remove Heading 3.2.21, Incomplete Attempt Surcharge and the related Heading 4.27, Incomplete Attempt Surcharge. These charges should not be permitted.

The Commission, having considered the application, the information provided by DeltaCom, Inc., and being otherwise sufficiently advised, HEREBY ORDERS that:

1. DeltaCom, Inc. 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. DeltaCom, Inc. shall comply with the provisions of the Orders in Administrative Case No. 323.¹

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

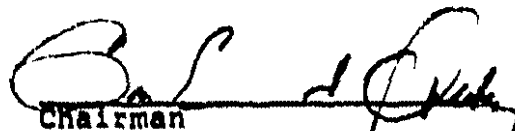
4. The rates and charges proposed by DeltaCom, Inc. are hereby approved, with the above noted revision, as filed on May 19, 1994.

5. Within 30 days from the date of this Order, DeltaCom, Inc. shall file its revised tariff sheets in accordance with 807 KAR 5:011.

¹ 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, Phase I, Order dated May 6, 1991.

Done at Frankfort, Kentucky, this 4th day of October, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director