

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BALLARD RURAL TELEPHONE)	
COOPERATIVE CORPORATION, INC.)	
COMPLAINANT)	
V.)	CASE NO. 94-329
)	
LONG DISTANCE MANAGEMENT AND)	
SOUTH CENTRAL BELL,)	
DEFENDANTS)	

O R D E R

On August 29, 1994, Ballard Rural Telephone Cooperative Corporation, Inc. ("Ballard") filed a formal complaint with the Commission against Long Distance Management ("LDM") and South Central Bell Telephone ("Bell").

Martin-Marietta Energy Systems operates a uranium enrichment plant in McCracken County, which is served by Bell. Martin-Marietta leases an office building in Kevil, which is served by Ballard. Ballard supplied telephone service to Martin-Marietta's Kevil office - 152 lines - from February 2, 1994 until September 1, 1994. At that time, Martin-Marietta decided to link its PBX in McCracken County with the office in Kevil, through a private-line leased from LDM.¹ In doing this, it notified Ballard that local service in the Kevil exchange would be reduced to fewer than 10 lines.

¹ See June 29, 1994 Commission advisory letter.

Ballard's formal complaint alleges that Bell will be serving a facility within the Kevil exchange service area of Ballard. Ballard also alleges that Martin-Marietta will not be able to utilize the E-911 system to be installed in Ballard's area and that the Ballard County Board of Education will lose tax revenue.

Ballard requests the Commission to:

1. Prohibit Martin-Marietta from using, through any connection, numbers assigned to Bell at its facility in Kevil.
2. Require that Ballard provide local service to the Kevil facility.
3. Require that all outgoing toll calls from the Kevil facility be made on Ballard numbers.
4. Require that Bell and LDM be enjoined from providing any service which would decrease the service currently provided by Ballard.
5. Grant all other general, proper and equitable relief to which it may appear entitled.

An informal conference, with all parties present, was held December 2, 1994. Ballard reiterated its stance during the conference. LDM opined that it provided facilities in compliance with an advisory opinion prior to installing the private line. Bell stated that it simply provides the telephone trunks to the demarcation point at the McCracken County plant; Martin-Marietta's internal communications system configuration is beyond Bell's control. No conclusions were reached in the informal conference.

When customer-premise equipment was de-tariffed, customers were presented with the option of owning their own telephone equipment. Martin-Marietta chose this option and decided to put a PBX in its McCracken County facility rather than pay for individual lines. This PBX is served at the demarcation point by trunk lines provided by Bell.

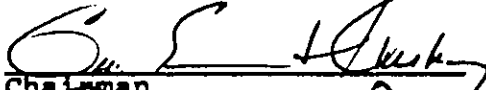
Martin-Marietta initially acquired telephone service at the Kevil facility on a per-line basis from Ballard. On September 1, 1994, it decided to link the Kevil and McCracken County offices, so that service would be provided through a single PBX. To accomplish this, it leased a connecting private-line from LDM. This private line allows no public access and is used to complete internal calls. All originating and terminating calls are processed through the Bell demarcation point in McCracken County, as the Ballard lines were removed.

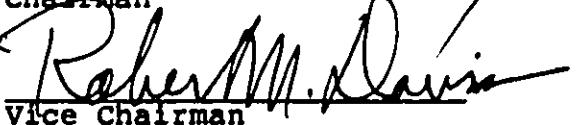
The Commission finds that Ballard's requests fall outside of the scope of the Commission's jurisdiction. Therefore, no action should be taken by the Commission at this time.

IT IS THEREFORE ORDERED that the complaint of Ballard is dismissed.

Done at Frankfort, Kentucky, this 6th day of April, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director