

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY TELEPHONE, A SERVICE CORP. )

COMPLAINANT )

v. )

SOUTH CENTRAL BELL TELEPHONE )  
COMPANY )

DEFENDANT )

CASE NO. 95-347

ORDER TO SATISFY OR ANSWER

South Central Bell Telephone Company ("South Central Bell") is hereby notified that it has been named as defendant in a formal complaint filed on July 27, 1995, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, South Central Bell is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 17th day of August, 1995.

ATTEST:

Don Mills  
Executive Director

PUBLIC SERVICE COMMISSION

Robert M. Davis  
Chairman

Linda K. Breathitt  
Vice Chairman

Linda K. Breathitt  
Commissioner

RECEIVED

JUL 27 1995

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

LEGAL DEPT. (KY.)

IN THE MATTER OF:  
KENTUCKY TELEPHONE,  
A SERVICE CORP.

95-347  
ADMINISTRATIVE  
CASE NO. \_\_\_\_\_

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JUL 27 1995

MOTION

FOR

SPECIAL ARRANGEMENT

PUBLIC SERVICE  
COMMISSION

PUBLIC SERVICE  
COMMISSION

Comes Kentucky Telephone, A Service Corp., Petitioner, and moves the Commission to grant and order a Special Arrangement between South Central Bell Telephone Company of Kentucky, hereinafter known as South Central Bell, and Petitioner based upon sufficient changes in technological, structural and regulatory conditions (Ky. P.S.C. Case No. 293) so as to allow resale of expanded Shared Tenant Services including resale of South Central Bell's ESSX Service.

The benefit to Citizens of the Commonwealth of Kentucky from this petition would be the opportunity to purchased a bundled or unbundled quality service from Petitioner at a lower cost than they currently pay. South Central Bell would suffer no economic harm in that Petitioner is assuming many of the responsibilities currently serviced or provided by South Central Bell. Although South Central Bell will be in essence selling a volume service to Petitioner, South Central Bell has all ready justified the cost

cc: Reg  
JCH 7-27-95/tz

of BSSX service to the Commission in that it currently is selling BSSX to customers utilizing a thousand stations or more, situated within the Commonwealth.

On March 18th 1985 Cincinnati Bell Telephone Company filed a proposed Shared Tenant Services (STS) tariff for consideration with this Commission. On June 4th of 1985 the Commission issued an Order establishing Case No. 293. 'This case was instituted primarily in response to technological, structural, and regulatory changes occurring at both the state and national level in the telecommunications industry. Shared Tenant Service (STS) is a telecommunications arrangement which permits unrelated tenants in a limited geographic area to share the features of a Private Branch Exchange (PBX) and local access lines.' (excerpt page 3 of Case 293 Order).

Mr. Harry Newton, author of The Teleconnect Dictionary, A Glossary of Telecom Acronyms, Terms and Jargon (Copyright 1987, page 312) defines a Private Branch Exchange (PBX) as "A Private phone system allowing communication within a business and between a business and the outside world. A PBX differs from a key system in one respect -- namely that to make an outgoing call on a PBX you dial '9'.

South Central Bell defines its ESSX Services as follows:

"ESSX service is furnished from 1A or selected 2B Electronic Switching System (ESS) Central Office equipment located on Company premises and associated facilities so arranged as to provide the following basic service features:

1. Direct Inward Dialing (DID) and Direct Outward Dialing (DOD) of exchange and long distance message network calls to and from stations and attendant positions of a subscriber's system.
2. Intercommunicating calls between stations of the same subscriber's system.
3. Identified Outward Dialing (IOD), by station number of outgoing long distance message calls dialed by a station. Only calls billed to the subscriber by the Company will be provided this identification.
4. Common recorded announcements interception of calls to unassigned station numbers.
5. Trunk answer any station of incoming primary directory listing.
6. Basic Station Line Hunting.
7. Touch-Tone Service.

ESSX Service will be furnished in four categories based upon the size of the subscriber system....

ESSX service-XL will service systems with more than 600 main station lines.'

From: South Central Bell Telephone Company Kentucky,  
General Subscriber Tariff 2A, page 109.

ESSX generally requires the end user to access an outside line to dial '9'. ESSX generically has been defined as a PBX system with the PBX being located at South Central Bell's office or facility instead of at the customer's premises, with the customers gaining the features of the PBX (note definition of STS above).

The Commission has allowed the resale of STS since 1986. Petitioner has been a reseller of South Central Bell's Shared Tenant Service(s) since 1990. Petitioner in 1988 was granted a by .

the Commission a Certificate of Need and Convenience as an Inter Exchange Carrier. Petitioner lastly was in 1988 and continues to actively be engaged in the sale, service and maintenance of telephone equipment (an inter-connect company).

Petitioner is aware that the STS in the 1986 order was a response to the technological, structural and regulatory conditions as known in 1986. Petitioner believes that the technological, structural and regulatory conditions of 1995 are sufficiently different to request a modification and or amendment to Case 293 to reflect 1995 conditions.

Petitioner does not wish to invade the broad question of Local Exchange Competition. Petitioner limits its' request herein to resale of the existing South Central Bell network and Service Arrangements. Petitioner will not connect ESSX customers' local access to access lines other than those of South Central Bell. Under petitioner's request South Central Bell will physically provide all access services to the end user as they are currently provided in South Central Bell's General Subscriber Tariff 2A.

ESSX is being sold to business customers regularly by South Central Bell through its' own sales force and through South Central Bell Authorized Agents. The only difference in Petitioner's request from the current ESSX resale arrangement is that South Central Bell now sells ESSX to an individual customer. Petitioner desires to be that customer, however, it desires the

right to in turn resell portions of that service to others, as it relatively speaking is allowed to do with STS services.

Petitioner would be responsible for billing, customer service, and user bad debt and maintenance from the demark to and into the end user's premises.

WHEREFORE based upon sufficient changes in technological, structural and regulatory conditions and Petitioner unique history, of being a South Central Bell STS reseller for approximately 5 years, a holder of a Certificate of Need and Convenience for 7 years, and being an established Kentucky Inter-connect for over 7 years, Petitioner prays that the Commission allow Petitioner a Special Arrangement wherein Petitioner may resell South Central Bell's ESSX Service without limitation to the premises being a "continuous property under common ownership or management that is not separated by property owned or managed by others" (#14 Case 293 findings - page 47),

AND that Petitioner should be allowed to resell ESSX service to any and all end users situated within the Commonwealth of Kentucky with Petitioner purchasing such services under the existing rules and rate schedule(s) as set forth in South Central Bell Telephone Company of Kentucky's General Subscriber Service Tariff PSC KY TARIFF 2A.

Kentucky Telephone,  
A Service Corp.  
332 W. Broadway  
Suite 300  
Louisville, Ky., 40202  
Telephone (502) 562-0520  
Fax (502) 562-0514

By:   
Thomas E. Terwilliger

General Manager

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing Motion has been served upon all of the entities listed in the attached service list by mail this the \_\_\_\_\_ day of July, 1995.

Kentucky Telephone,  
A Service Corp.

By: 

ESSX is a registered trademark of Bell South Inc.

## SERVICE LIST

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