

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF FIVE STAR TELECOM, )  
INC. FOR A CERTIFICATE TO RESELL ) CASE NO. 95-589  
TELECOMMUNICATIONS SERVICE )

O R D E R

IT IS ORDERED that Five Star Telecom, Inc. ("Five Star") shall file the original and ten copies of the following information with the Commission no later than 30 days from the date of this Order.

1. Has Five Star or any affiliate ever been compensated for providing intrastate telecommunications services within the Commonwealth of Kentucky? If yes, explain in detail.

2. Provide tariff sheets which comply with the restrictions and conditions of service established in Administrative Case No. 330,<sup>1</sup> a summary of which is attached hereto and incorporated herein as Appendix A to this Order.

3. Pursuant to 807 KAR 5:006, Section 13(1)(a), provide a toll-free number or a method for accepting collect calls.

4. Pursuant to 807 KAR 5:006, Section 6(3), include the billing form, or its contents, in the proposed tariff.

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<sup>1</sup> Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services, Orders Dated March 27, 1991 and May 3, 1991.

Done at Frankfort, Kentucky, this 5th day of February, 1996.

PUBLIC SERVICE COMMISSION

  
Linda Breathitt  
For the Commission

ATTEST:

  
Don Mills  
Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 95-589 DATED FEBRUARY 5, 1996.

Conditions of Service for the Provision of Operator  
Services Adopted from Commission Orders in Administrative  
Case No. 330, Orders Dated March 27, 1991 and May 3,  
1991.

(1) Operator-assisted services shall be subject to rate regulation and rates shall not exceed the maximum approved rates of AT&T Communications of the South Central States, Inc. ("AT&T") for interLATA services and the local exchange carrier ("LEC") for intraLATA services. "Maximum approved rates" are defined to mean the rates approved by this Commission in AT&T's and the LEC's most recent rate proceeding for measured toll service applicable to operator-assisted calls, as well as the additional charges for operator assistance. Carriers are not permitted to include any other surcharges or to bill for uncompleted calls. Time-of-day discounts shall also be applicable. Carriers are also required to rate calls using the same basis that AT&T and the LEC uses to rate calls, i.e., distance calculations based on points-of-call origination and termination, definitions of chargeable times, billing unit increments, rounding of fractional units, and minimum usages. When there is any change in the maximum approved rates, carriers shall file tariffs if necessary to comply with the requirements herein within 30 days of the effective date of the rate change.

(2) Except as otherwise indicated in this Order, non-dominant carriers shall be subject to regulation as delineated in the May 25, 1984 Order in Administrative Case No. 273 as well as any subsequent modifications to non-dominant carrier regulations. In the event of conflict, the terms of the instant Order shall take precedence, unless a carrier is specifically relieved from compliance with any conditions contained herein.

(3) Operator service providers that provide service to traffic aggregators shall not allow access to the operator services of competing carriers to be blocked or intercepted. Blocking and interception prohibitions shall be included in tariffs and all contracts entered into with any traffic aggregator and shall state that violators will be subject to immediate termination of service after 20 days' notice to the owners of non-complying customer premises equipment.

(4) Traffic aggregator is defined to mean any person that, in the ordinary course of its operations, makes telephones available to the public or to transient users of its premises for intrastate telephone calls using a provider of operator services. Aggregators include hotels and motels, hospitals, universities, airports, gas stations, and non-local exchange carrier pay telephone owners. This definition includes the provision of all non-local exchange carrier pay telephones even if no compensation is paid to the owner of the pay telephone. The residential use of operator services is specifically excluded from this definition.

(5) Access to the local exchange carriers' operators shall not be blocked or otherwise intercepted by traffic aggregators. Specifically, all "0-" calls, that is, when an end-user dials zero without any following digits, shall be directed to the local exchange carrier operators. In equal access areas, "0+" intraLATA calls, that is, when an end-user dials zero and then dials the digits of the called telephone number, shall not be intercepted or blocked. In non-equal access areas, it is prohibited to block or intercept "0-" calls; however, it is permissible to intercept "0+" calls. Blocking and interception prohibitions shall be included in tariffs and all contracts entered into with any traffic aggregator and shall state that violators will be subject to immediate termination of service after 20 days' notice to the owners of non-complying customer premises equipment.

(6) Carriers shall not be required to provide access codes of competitors. Each carrier should advise its own customers as to the appropriate 10XXX access code.

(7) Carriers shall provide tent cards and stickers to traffic aggregators to be placed near or on telephone equipment used to access their services and shall include provisions in tariffs and contracts entered into with any traffic aggregator that subject violators to immediate termination of service after 20 days' notice to the owners of non-complying customer premises equipment.

(8) Operators shall identify the carrier at least once during every call before any charges are incurred.

(9) Operators shall provide an indication of the carrier's rates to any caller upon request.

(10) Carriers shall not accept calling cards for billing purposes if they are unable to validate the card.