

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

On December 27, 1995, Five Star Telecom, Inc. ("Five Star") filed an application with the Commission seeking a Certificate of Public Convenience and Necessity to resell intrastate interexchange long-distance telecommunications services within the Commonwealth of Kentucky. On March 6, 1996, Five Star filed its response to the Commission's February 5, 1996 Order requesting additional information.

Five Star is a Delaware corporation with its principal office in the state of Florida and intends to resell tariffed services of facilities-based carriers certified by this Commission.

Five Star does not own or operate, nor does it intend to construct, any telecommunications transmission facilities within the Commonwealth of Kentucky. All intrastate telecommunications transmission services will be provided by an underlying carrier certified by this Commission.

The application provided by Five Star demonstrates its financial, managerial, and technical capability to provide utility service. The Commission finds that Five Star should be authorized

to resell intrastate interexchange long-distance telecommunications services within the Commonwealth of Kentucky.

Five Star filed its proposed tariff on December 27, 1995. The Commission finds that the rates proposed by Five Star should be approved as the fair, just, and reasonable rates to be charged.

In Administrative Case No. 306,¹ the Commission stated the importance of eliminating possible customer confusion arising from the name of the billing service, rather than the name of the provider of telecommunications services, appearing on the bill. Accordingly, Five Star should ensure that its name appears prominently on all bills issued to customers for services rendered.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, HEREBY ORDERS that:

1. Five Star be and it hereby is granted authority to resell intrastate interexchange long-distance telecommunications services within the Commonwealth of Kentucky on and after the date of this Order.

2. Five Star shall ensure that its name appears prominently on all bills issued to customers for services rendered.

3. Five Star's authority to provide service is strictly limited to those services described in this Order and Five Star's application.

¹ Administrative Case No. 306, Detariffing Billing and Collection Services, Order Dated April 30, 1990.


4. IntraLATA services shall be provided in accordance with the restrictions and conditions of service contained in Administrative Case No. 323.²


5. The rates proposed by Five Star on December 27, 1995 are hereby approved.


6. Within 30 days from the date of this Order, Five Star shall file, pursuant to 807 KAR 5:011, its December 27, 1995 tariff sheets without modifications.

Done at Frankfort, Kentucky, this 9th day of April, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

² 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.