

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOANNE MIKELS)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 96-454
)	
MCI TELECOMMUNICATIONS CORPORATION)	
)	
DEFENDANT)	

O R D E R

Joanne Mikels filed a formal complaint against MCI Telecommunications Corporation ("MCI") alleging that MCI was charging operator-assisted rates for collect calls made from prisons, when no operator was available or necessary. She also requested that MCI adjust the rates to a "justifiable" amount and that MCI refund any overcharges to all parties wronged.

On January 3, 1997, MCI was notified that it had been named as a defendant in a formal complaint and was ordered to satisfy the complaint or file a written response. In addition, the Commission ordered MCI to justify its deposit and blocking practices for collect or third-party payers of inmate services.

On February 4, 1997, MCI filed a motion to bifurcate the issues addressed in this docket into separate proceedings. MCI states that the formal complaint submitted by Joanne Mikels is premised solely on the rates charged by MCI under the Inmate

Services Contract executed by MCI and the Commonwealth of Kentucky. The Commission's directive for MCI to "justify its deposit and blocking practices for collect or third-party payers of inmate services," MCI submits, is separate and distinct from the original complaint. Therefore, MCI requests that the Commission bifurcate these matters.

The Commission concurs with MCI's position that these are separate and distinct issues and, therefore, will address MCI's deposit and blocking practices through a separate proceeding, Case No. 97-049.¹

The Commission finds that Joanne Mikels should file comments, if any, by March 24, 1997 including a request for a public hearing with a summary of testimony she would present at a public hearing. If no such request for a public hearing is filed by March 24, 1997, this matter should be submitted to the Commission for a decision on the merits.

IT IS THEREFORE ORDERED that:

1. The motion of MCI to bifurcate the issues addressed in this proceeding is hereby granted.
2. Joanne Mikels shall file comments, if any, by no later than March 24, 1997, including a request for public hearing with a summary of testimony to be presented at the hearing.

¹ Case No. 97-049, MCI Telecommunications Corporation - Petition for Waiver of Certain Commission Regulations.

Done at Frankfort, Kentucky, this 4th day of March, 1997.

PUBLIC SERVICE COMMISSION

Linda K. Breathitt
For the Commission

ATTEST:

Don Mills

Executive Director