

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KEN'S APPLIANCES)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 96-611
)	
GTE SOUTH INCORPORATED)	
)	
DEFENDANT)	

O R D E R

On April 7, 1997, Ken's Appliances ("Complainant") filed its response to the Answer that GTE South Incorporated ("GTE South") filed in this proceeding. A copy of Complainant's response is attached hereto and incorporated herein as Appendix A. The Commission, having reviewed Complainant's response and being otherwise sufficiently advised, finds that GTE South should respond to same.

IT IS THEREFORE ORDERED that GTE South shall, within 10 days of the date of this Order, respond to each allegation in Complainant's April 7, 1997 response. Said response shall include supporting documentation.

Done at Frankfort, Kentucky, this 29th day of April, 1997.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Director


For the Commission

APPENDIX A

AN APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN
CASE NO. 96-611 DATED APRIL 29, 1997

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
APR - 7 1997
PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

KENS APPLIANCES
COMPLAINANT

VS

CASE NO. 96-611

GTE SOUTH INCORPORATED
DEFENDANT

RESPONSE TO THE DEFENDANTS ANSWER

COMES NOW THE COMPLAINANT, KENS APPLIANCES, WITHOUT COUNSEL, AND FOR ITS RESPONSE TO THE GTE SOUTH INCORPORATED ANSWER DATED JANUARY 15, 1997 HERIN STATES AS FOLLOWS:

1. THE COMPLAINANT AGREES WITH THE ANSWER TO ALLEGATIONS OF ITEMS #1 AND #2 OF COMPLAINANTS ANSWER.

2. THE DEFENDANT STATED IN ITEM #3 DENIAL OF ALLEGATIONS OF THE COMPLAIN. IN AN EFFORT TO CLARIFY THE ALLEGATIONS THE FOLLOING IS SUBMITTED:

A. THE COMPLAINANT HAS HAD SERVICES PROVIDED WITH THE DEFENDANT SINCE OCTOBER 1991.

B. THE COMPLAINANT HAD HIS SERVICES CHANGED WITH THE DEFENDANT FROM A RESIDENCE ACCOUNT TO A BUSSINESS ACCOUNT IN APRIL 1995. SINCE THAT TIME THE FOLLOWING SERVICES HAVE BEEN PROVIDED BY THE DEFENDANT- ONE PARTY LINE, WIRING REPAIR PLAN, KY TELEPHONE RELAY SERVICES, AUTOMATIC BUSY REDIAL SERVICES, CALL WAITING SERVICES, CALLER ID SERVICES, TOUCH CALL SERVICES, FCC INTERSTATE ACCESS, YELLOW PAGES DIRECTORY SERVICES, AND ADDITIONAL DIRECTORY LISTINGS.

C. THE COMPLAINANT IMMEDIATELY EXPERIENCED INADEQUATE TELEPHONE SERVICES THRU THE DEFENDANT IN THE AREAS OF

ONE PARTY LINE
AUTOMATIC BUSY REDIAL
CALL WAITING
CALLER ID

THESE SERVICES A PROVIDED BY THE DEFENDANT AND ARE BILLED TO THE DEFENDANTS ACCOUNT ON A MONTHLY BASIS. EACH OF THESE SERVICES HAVE CONTINUOUSLY FAILED TO OPERATE PROPERLY OR WERE ENTIRELY UNUSABLE. THE DEFENDANT HAS ACKNOWLEDGED REPAIR SERVICE OR CUSTOMER SERVICE COMPLAINTS, AND THEY ARE REPORTED SINCE 1995, TO WHICH THE DEFENDANT HAS RESPONDED OR PROVIDED A SERVICE CREDIT FOR THESE OCCURANCES, SHOULD NOT RELIEVE THE DEFENDANT TO PROVIDE ADEQUATE TELEPHONE SERVICE TO THE COMPLAINANT. THE LATEST REPORT TO THE DEFENDANTS CUSTOMER SERVICE DEPARTMENT WAS AS LATE AS LAST WEEK, 3-26-97, WITH A LOSS OF SERVICE WITH THE AUTOMATIC BUSY REDIAL FEATURE.

THE CUSTOMER SERVICE DEPARTMENT STATED THAT NOT ALL REPORTS ARE DOCUMENTED, ONLY IN THE CASES WHEN A SERVICE ORDER IS PREPARED. SO THE DEFENDANTS SERVICE RECORDS WOULD NOT BE USEFUL IN DETERMINING ALL THE REPORTS MADE.

3. IN CONCLUSION, THE COMPLAINANT STATES THAT:

A. ONE PARTY LINE SERVICE - THE COMPLAINANT HAS A BUSINESS ACCOUNT WITH THE DEFENDANT IN A RURAL AREA OF GRAYSON COUNTY KENTUCKY. BEING 8 MILES FROM THE CLOSEST CITY OF LEITCHFIELD, KENTUCKY, AND FREQUENTLY EXPERIENCES INADEQUATE SERVICE ON SPECIAL FEATURES PROVIDED BY THE DEFENDANT.

B. AUTOMATIC BUSY REDIAL - THE COMPLAINANT FREQUENTLY HAS SERVICE FAILURE WITH THIS FEATURE. INSTEAD OF PERFORMING AS ADVERTIZED, THE COMPLAINANT WILL ATTEMPT THIS SERVICE AND RECEIVE A RECORDING STATING "YOUR AUTOMATIC BUSY REDIAL FEATURE CANNOT BE PROCESSED AT THIS TIME".

C. CALL WAITING SERVICES - THE COMPLAINANT FREQUENTLY HAS SERVICE FAILURE WITH THIS FEATURE. INSTEAD OF PERFORMING AS ADVERTIZED, THE COMPLAINANT WILL BE NOTIFIED BY CUSTOMERS THAT THEY HAVE ATTEMPTED TO CONTACT HIS BUSINESS AND RECEIVE EITHER A BUSY SIGNAL OR THE CALL WILL RING TO A WRONG NUMBER.

D. CALLER ID SERVICE - THE COMPLAINANT FREQUENTLY HAS SERVICE FAILURE WITH THIS FEATURE. INSTEAD OF PERFORMING AS ADVERTIZED, THE COMPLAINANT WILL RECEIVE BUSINESS CALLS AND THE PHONE NUMBERS OF THE CUSTOMERS WILL NOT BE RECORDED ON THE FEATURES REGISTER.

THE DEFENDANT'S SERVICE PERSONNEL HAVE INSPECTED INSIDE AND OUTSIDE WIRING TO THE COMPLAINANT'S BUSINESS WITH NO REPORTED FAULTS AT THAT LOCATION. EQUIPMENT HAS BEEN INSTALLED TO VERIFY OCCURANCES BY THE DEFENDANT, AND THE COMPLAINANT, UPON THE DEFENDANT'S RECOMMENDATION, HAS BEEN OUT FURTHER EXPENSE IN REPLACING THE TELEPHONE AND THE CALLER ID UNIT. ALTHOUGH THE DEFENDANT CONTINUES TO RESPOND TO SERVICE COMPLAINTS, THEY CONTINUE TO FAIL TO PROVIDE ADEQUATE TELEPHONE SERVICE TO THIS BUSINESS CUSTOMER WHO PAYS FOR THESE SERVICES EACH MONTH.

WHEREFORE, THE COMPLAINANT REQUESTS THE HONORABLE KENTUCKY PUBLIC SERVICE COMMISSION TO ASSIST WITH AN ORDER TO SATISFY THE COMPLAINT FILED.

RESPECTFULLY SUBMITTED THIS THE 2ND DAY OF APRIL 1997.

KENS APPLIANCES, DEFENDANT

Ken Farris

KEN FARRIS, Owner
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