

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MCI WORLDCOM COMMUNICATIONS,)	
INC. D/B/A MCI WORLDCOM, INC.)	
A/K/A MCI WORLDCOM)	
_____)	CASE NO. 99-324
)	
ALLEGED VIOLATION(S) OF KRS 278.535)	
SWITCHING OF TELECOMMUNICATIONS)	
PROVIDER)	

O R D E R

A show cause Order was issued alleging that MCI WorldCom Communications, Inc. ("MCI") caused the unauthorized switch of the primary interexchange carrier ("PIC") of six consumers in violation of KRS 278.535 (slamming).

MCI ultimately presented sufficient proof that the PIC switches occurred because of the following: misunderstanding of facts that gave the appearance of a PIC switch, billing errors, "install" data entry errors, and pertinent facts reflecting a grant of authority to make a PIC switch that cannot be deemed willful conduct by the telecommunications provider ("provider").

The Commission has serious concerns regarding the failure of providers to be forthcoming with relevant and substantive facts to Commission Staff. Had MCI provided the available and pertinent information during the investigative stage of these complaints, then a show cause Order would likely not have been issued.

If there has been a switch of a consumer's PIC, the provider must furnish all pertinent information requested by Commission Staff during the period of the investigation of a complaint. Specifically, proof of authorization must be provided pursuant to KRS 278.535. If no PIC switch has occurred, then the provider must furnish all other available and pertinent data and documented explanations at the investigative stage. The use of third-party verifiers does not insulate the provider from its statutory responsibilities.

The Commission, having reviewed the record and being otherwise sufficiently advised, HEREBY ORDERS that the show cause Order herein is dismissed and removed from the docket.

Done at Frankfort, Kentucky, this 14th day of April, 2000.

By the Commission

ATTEST:



Executive Director