

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS, INC. S)	
NOTICE OF INTENT TO DISCONNECT E Z)	CASE NO.
TALK COMMUNICATIONS FOR NONPAYMENT)	2003-00316
OF BILLS)	

O R D E R

On August 15, 2003, BellSouth Telecommunications, Inc. (BellSouth) provided written notice to the Commission of its intent to disconnect E Z Talk Communications (E Z Talk) for nonpayment of bills. BellSouth asserts the unpaid amount is \$959,726.07 of which \$62,438.31 is for services provided in Kentucky. BellSouth plans to discontinue services to E Z Talk if payments have not been received by August 27, 2003. Disconnection of E Z Talk services will impact 1,409 Kentucky customers.

BellSouth requests authorization to invoke the Emergency Service Continuity Tariff approved by this Commission on May 20, 2003 in Case No. 2002-00310.¹ Invoking this tariff is necessary only if E Z Talk has not notified its end-users of the service disconnection. If the Emergency Service Continuity Tariff is invoked, BellSouth will continue to provide telephone service to E Z Talk s customers for a minimum of 14 days after E Z Talk ceases to operate.

The Commission, having reviewed BellSouth s notice and having been otherwise sufficiently advised, HEREBY ORDERS that:

¹ Case No. 2002-00310, Customer Billing and Notice Requirements for Wireline Telecommunications Carriers Providing Service in Kentucky.

1. E Z Talk shall notify the Commission within 7 days of the date of this Order of its intent to pay the delinquent bill to BellSouth by August 27, 2003, or, in the alternative, its intent to notify its end-users of the proposed service disconnection. Such written comments shall include a copy of E Z Talk's customer notice and an affidavit indicating when the notice was mailed and the number of Kentucky customers to whom it was mailed.

2. A copy of BellSouth's notice of intent to disconnect E Z Talk is attached hereto and incorporated herein.

3. If E Z Talk has not responded as prescribed in Ordering Paragraph 1 within 7 days of the date of this Order, BellSouth shall implement the procedures established in its Emergency Service Continuity Tariff.

4. A copy of this Order shall be sent by certified mail to E Z Talk, attention Ms. Eileen Singleton and Mr. Doug Light, 4727 South Main, Stafford, Texas 77477.

Done at Frankfort, Kentucky, this 20th day of August, 2003.

By the Commission

ATTEST:


Executive Director

Case No. 2003-00190



BellSouth Telecommunications, Inc. 502-582-2167
4th Floor FAX 502-582-8667
601 W. Chestnut Street
Louisville, KY 40203

Joan A. Coleman
Vice President
Regulatory & External Affairs

Joan.Coleman@bellsouth.com

RECEIVED

AUG 15 2003

August 15, 2003

PUBLIC SERVICE
COMMISSION

Thomas M. Dorman
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, Kentucky 40602-0615

Dear Mr. Dorman:

2003-00316

Pursuant to the Kentucky PSC's May 20, 2003 order in KY PSC Case No. 2002-0310, BellSouth is providing advance notice to the Kentucky Public Service Commission (PSC) of BellSouth's intent to disconnect E Z Talk Communications for non-payment.

BellSouth's records indicate that E Z Talk Communications is delinquent in payment of its bills to BellSouth in the amount of \$959,726.07. Of this amount, \$62,438.31 is overdue for services provided in Kentucky to E Z Talk Communications. Attempts to collect past due amounts from E Z Talk Communications have been unsuccessful. BellSouth made numerous written notifications to E Z Talk Communications informing them of BellSouth's intent to suspend or terminate services consistent with the terms and conditions of the Resale Agreement between E Z Talk Communications and BellSouth. Attached is BellSouth's last written notice to E Z Talk Communications. On or about August 28, 2003, BellSouth will begin to discontinue services provided to E Z Talk Communications if payments are not received by August 27, 2003. Disconnection of E Z Talk Communications services will impact approximately 1,409 of its Kentucky customers.

Under terms of their Interconnection Agreement, E Z Talk Communications is solely responsible for notifying its end users of the proposed service disconnection. BellSouth is copying E Z Talk Communications to remind them of their obligation to notify their end users of this situation regarding pending disconnection of services.

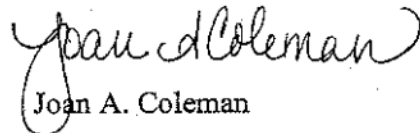
Should the Commission determine the need to invoke BellSouth's Emergency Service Continuity Tariff, BellSouth will take steps to notify the affected end users and inform them that they may continue to receive telecommunications services through The

ATTACHMENT

Emergency Services Continuity Plan for a minimum of fourteen (14) days and that the end user must transition to a new service provider.

Should you or the staff have any questions concerning this filing or need additional information, Mike Hayden, of my staff, is familiar with this matter and can be reached on (502) 582-8180.

Very truly yours,


Joan A. Coleman

cc: E Z Talk Communications Communication, LLC
Attn: Ms. Eileen Singleton & Mr. Doug Light

Attachment

August 13, 2003

E Z Talk Communications, LLC
Attention: Ms. Eileen Singleton & Mr. Doug Light
4727 South Main
Stafford, Texas 77477

PLEASE REMIT PAYMENT TO:
BellSouth Network & Carrier Services
250 Williams Street
Suite 5010 NW
Atlanta, Georgia 30303

Dear Ms. Singleton & Mr. Light:

Attempts to collect past due amounts from E Z Talk Communications have been unsuccessful and to date full payment has not been received. All accounts are currently in default in the amount of \$959,726.07 and subject to disconnection. A breakdown of these accounts is \$160,059.89 in Alabama, \$62,438.31 in Kentucky, \$21,943.66 in Mississippi, \$384,047.13 in Tennessee, \$13,570.63 in Georgia, \$92,894.20 in North Carolina, \$189,683.33 in South Carolina, and \$35,088.92 in Florida. Pursuant to the Resale Agreement between BellSouth Telecommunications, Inc. and E Z Talk Communications consider this letter written notice that BellSouth will proceed with the discontinuance of existing services in Alabama, Kentucky, Mississippi, Tennessee, Georgia, North Carolina, South Carolina, and Florida on August 27, 2003. Pursuant to the Agreement, it is E Z Talk Communications' responsibility to notify its end users of this impending disconnection.

In order to continue services, E Z Talk Communications must pay, in immediately available funds, the present undisputed balance in the sum of \$959,726.07 to BellSouth. In order to prevent disconnection of services in Alabama, E Z Talk Communications must pay \$160,059.89. In order to prevent disconnection of services in Kentucky, E Z Talk Communications must pay \$62,438.31. In order to prevent disconnection of services in Mississippi, E Z Talk Communications must pay \$21,943.66. In order to prevent disconnection of services in Tennessee, E Z Talk Communications must pay \$384,047.13. In order to prevent disconnection of services in Georgia, E Z Talk Communications must pay \$13,570.63. In order to prevent disconnection of services in North Carolina, E Z Talk Communications must pay \$92,894.20. In order to prevent disconnection of services in South Carolina, E Z Talk

Communications must pay \$189,683.33. In order to prevent disconnection of services in Florida, E Z Talk Communications must pay \$35,088.92. Also, payments are expected for any current bills that may become due. If service is interrupted, full non-recurring charges will be applicable to reestablish service.

If you have questions regarding your account, please contact the Billing Operations Manager, Leisa Mangina, at (205) 714-7359.

Sincerely,

Original signed by **Gary Patterson**