

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NOTICE OF BELL SOUTH)	
TELECOMMUNICATIONS, INC. TO)	CASE NO.
DISCONNECT MAX-TEL COMMUNICATIONS,)	2004-00013
INC. FOR NON-PAYMENT)	

O R D E R

On December 31, 2003, BellSouth Telecommunications, Inc. ("BellSouth") provided written notice to the Commission of its intent to disconnect Max-Tel Communications, Inc. ("Max-Tel") for nonpayment of bills. BellSouth asserts the unpaid amount is \$16,089.43, of which \$558.21 is for services provided in Kentucky. BellSouth plans to discontinue services to Max-Tel if payments are not received. Disconnection of Max-Tel services will impact 262 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 Max-Tel 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 Max-Tel's customers for a minimum of 14 days after Max-Tel ceases to operate.

¹ Case No. 2003-00310, Customer Billing and Notice Requirements for Wireline Telecommunications Carriers Providing Service in Kentucky.

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

1. Max-Tel shall notify the Commission within 7 calendar days of the date of this Order of its intent to pay the delinquent bill to BellSouth by January 22, 2004, or, in the alternative, of its intent to notify its end-users of the proposed service disconnection. Such written comments shall include a copy of Max-Tel'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 Max-Tel is attached hereto and incorporated herein.

3. If Max-Tel has not responded as prescribed in Ordering Paragraph 1 within 7 calendar 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 Max-Tel.

Done at Frankfort, Kentucky, this 15th day of January, 2004.

By the Commission

ATTEST:


Executive Director

(see document named "200400013_01152004apx.pdf" for appendix.)

