

ENDORSEMENT OF EMERGENCY:

The finding of an emergency with respect to the matter affected by this regulation is concurred in by this office allowing this regulation to become effective without the provisional waiting period is deemed necessary to the public interest, all in accordance with KRS 13.085.

Governor
Commonwealth of Kentucky

BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

A meeting of the Public Service Commission was held this date. Present: Chairman J. David Francis and Commissioners Woodrow W. Burchett and Edward T. Breathitt, Jr.

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In the Matter of

PROHIBITING PUBLIC TELEPHONE UTILITIES)	
FROM FURNISHING TELEPHONE SERVICE WHERE)	ADMINISTRATIVE
UNLAWFUL GAMBLING OR OTHER ILLEGAL)	ORDER #110
ACTIVITIES IS BEING CONDUCTED.)	

O R D E R

When a telephone utility, subject to the jurisdiction of this Commission, is notified in writing by this Commission or by a Federal or State law enforcement agency, or by the Attorney General of Kentucky or by a Commonwealth Attorney or by a County Attorney acting within its or his apparent jurisdiction, that any facility furnished by it is being used or will be used for the purpose of transmitting or receiving gambling information, it shall discontinue or refuse, the leasing, furnishing, or maintaining of such facility, after reasonable notice to the subscriber, but no damages, penalty or forfeiture, civil or criminal, shall be found against any telephone utility for any act done in compliance with any notice received from the Commission or law enforcement agency. Nothing in this section shall be deemed to prejudice the right of any person affected thereby to secure an appropriate judicial determination that such facility should not be discontinued or removed, or should be restored.

As provided by KRS 278.230, any telephone utility subject to the jurisdiction of this Commission shall furnish to the Commission on its demand any records or information in the possession of such telephone utility that may assist the Commission in the enforcement of this rule.

Nothing herein shall be construed to prevent the transmission of information for use in legitimate news reporting of sporting events or contests by recognized news media.

WHEREAS, It has been brought to the attention of the Commission that telephone facilities have been and are being used to carry on gambling and other illegal activities contrary to the laws, of this state, and WHEREAS, Such use is not in the public interest, the Public Service Commission finds that an emergency exists with respect to this regulation and deems it necessary to the administration of its affairs that this regulation be excepted from the provisional thirty (30) day filing notice period and become effective immediately upon its filing with the Legislative Research Commission, all in accordance with KRS 13.085.

Adopted this 25th day of August 1961.

By the Commission

ATTEST:


Secretary