

BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

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In the Matter of:

POLICY WITH RESPECT TO IMPLEMENTATION)	
OF FEDERAL COMMUNICATIONS COMMISSION)	ADMINISTRATIVE
RULING ON PRIVATELY-OWNED TELEPHONE)	CASE NO. 191
EQUIPMENT)	

On October 3, 1977, the Supreme Court of the United States affirmed the Federal Communications Commission's ("FCC") decision to allow privately-owned terminal equipment to be connected to existing telephone networks without the previously-required payment to the telephone company for an interconnection or "protective" device. The effective date of the FCC's ruling is October 17, 1977, after which any person may purchase and install his or her own telephone equipment in either a residence or business provided that the attachment of such equipment is done pursuant to the standards set forth by the FCC in its original ruling. These standards are summarized as follows:

First, any privately purchased terminal equipment must either have been in use on a carrier system as of May 1, 1976, or if the equipment is newly-manufactured, it must have been properly "registered" by the manufacturer with the FCC before it can become available for private usage.

Second, qualifying privately-owned terminal equipment can only be installed at private line installations.

Third, all privately-purchased terminal equipment must be connected through a standard telephone company jack. The telephone company may still charge for installing such jack if one is not already in place.

Fourth, once a customer elects to install his own telephone equipment pursuant to these provisions, the customer must notify the telephone company immediately.

Fifth, customer-provided terminal equipment will not be maintained or repaired by the telephone company. However, telephone companies are still obligated to make service checks even where privately installed equipment may be at fault in order to determine whether or not the problem is, in fact, in the private telephone equipment itself or the company's own lines.

Finally, those persons desiring to provide their own terminal equipment may be eligible for a reduction in their monthly service charge by the telephone company to the extent that they replace company-owned telephones with their own equipment. The exact amount of such a reduction for each company will be subject to this Commission's approval.

Under the FCC's Order, state utility commissions are charged with the responsibility of implementing and enforcing the provisions of this new policy. The Kentucky Public Service Commission views its initial responsibility in this matter as being one primarily of insuring that the telephone customers within the State of Kentucky are aware of their right to own private telephone equipment under the specific standards enumerated above.

The COMMISSION HEREBY ORDERS that the telephone companies listed in the Appendix to this Order shall immediately prepare a notice to each of its customers setting forth the FCC's new policy on privately-owned telephone terminal equipment and the terms under which this equipment may be used on the company's existing carrier system. This notice shall include (but will not be limited to) the points enumerated above in this Order. This public notice shall

be disseminated to the customers of each company in a manner most suitable to the individual characteristics of the particular telephone system and its service area. This Commission recognizes that in most cases an enclosure in the next bill is most suitable for this purpose. However, some smaller companies may wish to notify their customers individually or through proper advertisements in local news media. This Commission will not, however, consider a paid legal notice sufficient compliance with this Order.

While the Commission expects each company to immediately implement this notification requirement, a copy of the exact notification to a company's customers must be sent to this Commission on or before January 31, 1978.

Done at Frankfort, Kentucky, this 15th day of December, 1977.

By the Commission

ATTEST:

Secretary

APPENDIX

Ballard Rural Telephone
Cooperative Corporation, Inc.
P. O. Box 295
La Center, Kentucky 42056

Brandenburg Telephone Company
Brandenburg, Kentucky 40108

Cincinnati Bell, Inc.
225 East Fourth Street
P. O. Box 2301
Cincinnati, Ohio 45201

Continental Telephone Company
of Kentucky
719 North Main Street
London, Kentucky 40741

Duo County Telephone
Cooperative Corporation, Inc.
P. O. Box 80
Jamestown, Kentucky 42629

Echo Telephone Company, Inc.
P. O. Box 68
Shepherdsville, Kentucky 40165

Foothills Rural Telephone
Cooperative Corporation, Inc.
Staffordsville, Kentucky 41256

General Telephone Company of Kentucky
P. O. Box 1650
Lexington, Kentucky 40501

Harold Telephone Company, Inc.
Box 38
Harold, Kentucky 41635

Highland Telephone Cooperative, Inc.
P. O. Box 111
Sunbright, Tennessee 37872

Leslie County Telephone Company, Inc.
P. O. Box 1477
Hyden, Kentucky 41749

Lewisport Telephone Company, Inc.
P. O. Box 439
Lewisport, Kentucky 42351

Logan Telephone Cooperative, Inc.
P. O. Box 97
Auburn, Kentucky 42206

Mountain Rural Telephone Cooperative
Corporation, Inc.
P. O. Box 366
West Liberty, Kentucky 41472

North Central Telephone Cooperative, Inc.
Scottsville, Kentucky 42164

Peoples Rural Telephone Cooperative
Corporation, Inc.
P. O. Box 159
McKee, Kentucky 40447

Salem Telephone Company
P. O. Box 25
Salem, Kentucky 42078

South Central Bell Telephone Company
P. O. Box 32410
Louisville, Kentucky 40232

South Central Rural Telephone Cooperative
Corporation, Inc.
P. O. Drawer 159
Glasgow, Kentucky 42141

Thacker-Grigsby Telephone Company, Inc.
P. O. Drawer G
Hindman, Kentucky 41822

Uniontown Telephone Company, Inc.
P. O. Box 608
Uniontown, Kentucky 42461

West Kentucky Rural Telephone Cooperative
Corporation, Inc.
P. O. Box 649
Mayfield, Kentucky 42066