

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TOLL DIALING PARITY COMPLIANCE) ADMINISTRATIVE
) CASE NO. 380

O R D E R

By Order dated August 4, 1999, the Commission required NewSouth Communications (NewSouth), DSLnet Communications, LLC (DSLnet), ITC^DeltaCom and Hyperion Communications of Kentucky, Inc. (Hyperion) to refile their toll dialing parity plans eliminating any unauthorized switching penalty. To date only ITC^DeltaCom and Hyperion have complied. NewSouth and DSLnet are hereby cautioned that continued failure to file compliance plans will result in an action to enforce the Commission s Order in Franklin Circuit Court.

ITC^DeltaCom s revised plan filed August 9, 1999 and Hyperion s revised plan filed August 19, 1999 eliminate the unauthorized switching penalty and accordingly should be approved.

The Commission, having considered the revised plans and having been otherwise sufficiently advised, HEREBY ORDERS that:

1. The revised plans of ITC^DeltaCom and Hyperion are hereby approved.
2. Within 20 days of the date of this Order, NewSouth and DSLnet shall file their revised toll dialing parity plans eliminating the unauthorized switching penalty.

Done at Frankfort, Kentucky, this 24th day of November, 1999.

By the Commission

ATTEST:

Executive Director