Ernie Fletcher Governor

LaJuana S. Wilcher, Secretary Environmental and Public Protection Cabinet

Christopher L. Lilly Commissioner Department of Public Protection

Honorable Douglas F. Brent Attorney at Law Stoll, Keenon Ogden, PLLC 2650 AEGON Center 400 West Market Street Louisville, KY 40202



Commonwealth of Kentucky
Public Service Commission

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May 15, 2006

Mark David Goss Chairman

> Teresa J. Hill Vice Chairman

Gregory Coker Commissioner

## CERTIFICATE OF SERVICE

RE: Case No. 2005-00479
Dialog Telecommunications, Inc.

I, Beth O'Donnell, Executive Director of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the addressee by U.S. Mail on May 15, 2006.

**Executive Director** 

BOD/jc Enclosure



#### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF DIALOG	)	
TELECOMMUNICATIONS, INC. FOR	)	
DESIGNATION AS A COMPETITIVE	)	
ELIGIBLE TELECOMMUNICATIONS	)	CASE NO. 2005-00479
CARRIER PURSUANT TO SECTION 214(E)	)	
OF THE TELECOMMUNICATIONS ACT OF	)	
1996	)	

## ORDER

On November 28, 2005, Dialog Telecommunications, Inc. ("Dialog") petitioned the Commission to designate Dialog as an eligible telecommunications carrier ("ETC") pursuant to 47 U.S.C. § 214(e) and 47 C.F.R. § 54.201.

On December 16, 2005, the Commission issued an Order setting out a procedural schedule in this matter. No party requested intervention or submitted comments in the proceeding other than the applicant. Likewise no party requested a public hearing in the matter and therefore the matter is ripe for decision by the Commission.

Dialog is a competitive local exchange carrier ("CLEC") with its corporate address at 540 Griffith Road, Charlotte, North Carolina. Dialog provides local exchange service using a combination of its own facilities, unbundled network elements, and resale. Dialog's service area and the area for which it seeks designation as an ETC is within the study area currently served by BellSouth Telecommunications, Inc. ("BellSouth"), a non-rural incumbent local exchange carrier.

To receive ETC status, the Federal Communications Commission ("FCC") requires a common carrier to: (1) offer services that are supported by federal universal support mechanisms<sup>1</sup> throughout its designated service area; (2) provide these services using its own facilities (including unbundled network elements) or a combination of its own facilities and resale of another carrier's facilities; and (3) advertise the availability of these services through media of general distribution.

The Commission finds that Dialog has met the standards established by the FCC. Dialog currently provides services eligible for support by the federal Universal Service Fund in the service area for which it seeks ETC designation.<sup>2</sup> In its petition requesting ETC designation, Dialog affirmed that it offers these services using its own facilities or resale of another facilities-based carrier.<sup>3</sup> Dialog has begun advertising the availability and price of these services using media of general distribution.<sup>4</sup> Dialog has complied fully with FCC guidelines regarding ETC designation.

Dialog has provided sufficient evidence for this Commission to grant ETC status.

This designation will benefit consumers in Kentucky by expanding the range of

These services are: (1) voice grade access to the public switched network; (2) local usage; (3) dual tone multi-frequency signaling or its functional equivalent; (4) single-party service or its functional equivalent; (5) access to emergency services; (6) access to operator services; (7) access to interexchange services; (8) access to directory assistance services; and (9) toll limitation for qualifying low-income consumers. 47 C.F.R. § 54.101(a).

<sup>&</sup>lt;sup>2</sup> Dialog's Petition at 3 - 5.

<sup>&</sup>lt;sup>3</sup> Information Request Item No. 2.

<sup>&</sup>lt;sup>4</sup> Information Request Item No. 6.

competitive choices and by providing an incentive for incumbent telephone companies to improve their existing networks.

The Commission, having reviewed the evidence of record and having been otherwise sufficiently advised, HEREBY ORDERS that:

- Dialog is designated as an ETC for the wire centers of BellSouth listed in Appendix A. Accordingly, Dialog is eligible to receive federal Universal Service Fund support for these wire centers.
- 2. Dialog shall offer universal support services to consumers in the wire centers listed in Appendix A.
- 3. Dialog shall offer these services using its own facilities or a combination of its own facilities and resale of another carrier's services, including the services offered by another ETC.
- 4. Dialog shall advertise the availability of and charges for these services using media of general distribution.
- 5. Dialog has certified to the Commission that it will comply with the FCC's criteria, in accordance with 47 U.S.C. § 254(e), and therefore is eligible to receive Universal Service Fund support for the current certification period.
- 6. By September 1, 2006, and by each September 1 thereafter, Dialog shall make its annual certification filing in Administrative Case No. 381.<sup>5</sup>
- 7. A copy of this Order shall be served upon the FCC and the Universal Service Administrative Company.

<sup>&</sup>lt;sup>5</sup> Administrative Case No. 381, A Certification of the Carriers Receiving Federal Universal Service High-Cost Support.

Done at Frankfort, Kentucky, this 15th day of May, 2006.

By the Commission

Executive Director

#### APPENDIX A

# APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2005-00479 DATED May 15, 2006.

# CLLI Code Rate Center Name

ALLNKYMA Allen
AURRKYMA Aurora
BDFRKYMA Bedford
BGDDKYMA Bagdad
BLFDKYMA Bloomfield
BLSPKYMA Bluff Spring
BNLYKYMA Benham-Lynch

Benton **BNTNKYMA** Burgin **BRGNKYMA** Bremen **BRMNKYMA** Bardstown **BRTWKYES** Beaver Dam **BVDMKYMA BWLKYMA** Beattyville Cadiz **CADZKYMA** Chaplin **CHPLKYMA** CLAYKYMA Clay Calhoun **CLHNKYMA** Cloverport **CLPTKYMA** 

CMBGKYMA Campbellsburg
CNCYKYMA Central City
CNTNKYMA Canton
CNTWKYMA Centertown
COTNKYMA Crofton
CRBNKYMA Corbin

Clinton

**CLTNKYES** 

CRBOKYMA Crab Orchard
CRLSKYMA Carlisle
CRTNKYMA Carrollton
CYDNKYMA Corydon
CYNTKYMA Cynthiana
DAVLKYMA Danville
DIXNKYMA Dixon

DRBOKYES Drakesboro
DWSPKYES Dawson Springs

EDVLKYMA Eddyville
EKTNKYMA Elkton
ELCYKYES Elkhorn City

EMNNKYES	Eminence
EMNNKYPL	Eminence
ERTNKYMA	Earlington
FDCKKYES	Feds Creek
FDVLKYMA	Fordsville
FEBRKYMA	Freeburn
FKLNKYMA	Franklin
FLTNKYMA	Fulton
FNVLKYMA	Finchville
FORDKYMA	Ford
FRDNKYMA	Fredonia
GBVLKYMA	Gilbertsville
GHNTKYMA	Ghent
GNVLKYMA	Greenville
GRACKYMA	Gracey
GRTWKYMA	Georgetown
GTHRKYMA	Guthrie
HANSKYMA	Hanson
LID\/LIZ\/M/A	Hobbordoville

HBVLKYMA Hebbardsville
HCMNKYMA Hickman
HDBGKYMA Harrodsburg
HRBGKYES Hardinsburg
HRFRKYMA Hartford
HRLNKYMA Harlan
HWVLKYMA Hawesville

INEZKYMA Inez
ISLDKYMA Island
JCSNKYMA Jackson
JLLCTNMA Jellico

JNCYKYMA Junction City KKVLKYMA Kirksville

LBJTKYMA Lebanon Junction

LOUSKYES Louisa

**LRBGKYMA** Lawrenceburg Livermore LVMRKYMA Marion **MARNKYMA** Martin **MARTKYMA McDaniels MCDNKYMA** McDowell **MCWLKYMA MDBOKYMA** Middlesburg Madisonville **MDVIKYMA** Morganfield **MGFDKYMA** Morgantown **MGTWKYMA** Millersburg MLBGKYMA Milton **MLTNKYMA** 

MRGPKYMA Mortons Gap

**MRRYKYMA** Murray Mount Eden **MTEDKYMA** Mt. Sterling **MTSTKYMA** Mayfield **MYFDKYMA MWLKYMA** Maysville Nebo **NEBOKYMA** Neon **NEONKYES NRVLKYMA** Nortonville New Haven **NWHNKYMA New Liberty OWTNKYMA** Paducah **PARSKYMA PDCHKYIP** Paducah Paducah **PDCHKYLO** 

PDCHKYLO Paducah
PDCHKYMA Paducah
PDCHKYRL Paducah
PIVLKYMA Pineville
PKVLKYMA Pikeville
PKVLKYMT Pikeville
PLRGKYMA Pleasant Ridge
PMBRKYMA Pembroke

**PNTHKYMA** Panther Paintsville **PNVLKYMA** Prestonsburg **PRBGKYES PRTNKYES** Princeton Providence **PRVDKYMA** Perryville **PRVLKYMA** Port Royal PTRYKYMA Robards **RBRDKYMA** Richmond **RCMDKYMA** Sacramento **SCRMKYMA** Sadieville **SDVLKYMA** Sebree **SEBRKYMA** 

**Sharons Grove SHGVKYMA** Shelbyville **SHVLKYMA** Slaughters **SLGHKYMA** Sulpher **SLPHKYMA** Salvisa **SLVSKYMA SNTNKYMA** Stanton **SPFDKYMA** Springfield Simpsonville SSVLKYMA St. Charles **STCHKYMA** Stanford **STFRKYMA** 

STGRKYMA Stamping Ground

STNLKYMA Stanley STONKYMA Stone STRGKYMA Sturgis

UTICKYMA Uti VIRGKYMA Vir WACOKYMA Wa WDDYKYMA Wa WHBGKYMA Wir WHVLKYMA Wir WLBGKYMA Wir WLCKKYES Wa WSBGKYMA Wir WSBGKYMA Wir WSBGKYMA Wir WSBGKYMA Wir	
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