

COMMONWEALTH OF KENTUCKY  
BEFORE THE UTILITY REGULATORY COMMISSION

\* \* \* \* \*

In the Matter of

CONTINENTAL TELEPHONE COMPANY    )  
OF KENTUCKY'S FRANCHISE IN BAR-    )  
BOURVILLE, KENTUCKY                )    CASE NO. 7857

O R D E R

On the 15th day of May, 1980, Continental Telephone Company of Kentucky filed with the Commission its application seeking a certificate of convenience and necessity to qualify it to bid on a telephone franchise from the City of Barbourville, Kentucky. Under the provisions of KRS 278.020(3), no utility may apply for a franchise from any governmental agency until it has obtained a certificate of convenience and necessity from this Commission based on our finding that there is a need and demand for the service sought to be rendered.

Upon examination of the materials filed by the Applicant, and with reference to Applicant's annual reports which are required to be on file with this Commission, the Commission FINDS that Continental Telephone Company of Kentucky has been providing telephone service to the City of Barbourville and its immediate environs since 1955, and that it is presently serving approximately 55,418 customers in the Barbourville area.

The Commission FURTHER FINDS that there is a need and demand for telephone service in the Barbourville area. Since the Commission's authority in such matters is limited by statute to finding only whether there is a need and demand for the service sought to be rendered, no finding or determination is made as to the validity of any of the provisions of the franchise offered by the City of Barbourville or the manner in which any franchise fee is to be treated for rate purposes.

IT IS THEREFORE ORDERED That Continental Telephone Company of Kentucky be and it hereby is granted a certificate of convenience and necessity which authorizes it to bid on a telephone franchise in the City of Barbourville, Kentucky area.

IT IS FURTHER ORDERED That Continental Telephone Company of Kentucky, if it becomes the successful bidder, file with this Commission a copy of the said franchise.

IT IS FURTHER ORDERED That this Order shall not be construed as granting a certificate of convenience and necessity to construct utility facilities in said City of Barbourville.

Done at Frankfort, Kentucky, this 16th day of May, 1980.

UTILITY REGULATORY COMMISSION

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Vice Chairman

\_\_\_\_\_  
Commissioner

ATTEST:

\_\_\_\_\_  
Secretary