

COMMONWEALTH OF KENTUCKY
BEFORE THE UTILITY REGULATORY COMMISSION

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In the Matter of

LESLIE COUNTY TELEPHONE COMPANY)
ELIMINATION OF HELD ORDERS) CASE NO. 7994
FOR SERVICE)

SHOW CAUSE ORDER

Numerous complaints have been received by the Commission from applicants for telephone service from Leslie County Telephone Company (Company), in which the applicants have contended that the Company has been either unwilling or unable to provide a reasonable date by which telephone service would be installed. Investigation and continued requests by Commission staff resulted in some applicants being given dates by which they could expect service, but as of October 14, 1980, eleven (11) applicants for service still had not received a reasonable date by which they could expect service.

The Commission, after considering this matter, and being advised, Ordered on October 14, 1980, that a Show Cause Hearing be held on November 12, 1980, at 1:30 P.M., Eastern Standard Time, in the Commission's offices at Frankfort, Kentucky. The purpose of the hearing was to give the Company the opportunity to show cause, if any it could, why it should not be required to provide reasonable expected service dates to the eleven (11) subject applicants immediately, and subsequently provide telephone service by those dates. The hearing was held as scheduled and all parties of interest were given the opportunity to be heard. Subsequent to this hearing, the Company filed with the Commission on January 15, 1981, a list of dates for each of the eleven (11) subject applicants by which the Company expects to be able to provide telephone service.

The Commission, after consideration of this matter, including the public hearing and all correspondence of record, and being advised, is of the opinion and FINDS that:

1) The Company must realize that the Certificate of Public Convenience and Necessity which allows it to serve within its exchange boundaries also places on the Company the responsibility to provide telephone service to applicants within those boundaries. This includes the responsibility to provide applicants with a reasonable expected date to obtain service;

2) By letter received January 15, 1981, the Company proposed the following schedule of estimated service dates:

Mrs. David McIntosh	Fourth Quarter, 1981
Mrs. Bobby E. Little	Fourth Quarter, 1982
Mrs. Wanda L. Wilson	Fourth Quarter, 1983
Mr. Jimmy Shepherd	Fourth Quarter, 1983
Mrs. Lonnie Caldwell	Fourth Quarter, 1983 (Party Line Svc)
Mrs. Sammie Turner	Fourth Quarter, 1985
Mrs. Clemmie Joseph	Third Quarter, 1983
Ms. Leona Turner	Fourth Quarter, 1985
Mr. & Mrs. Ail Brock	Second Quarter, 1984
Mrs. David Sizemore	Fourth Quarter, 1985
Mr. Haywood Holland	Second Quarter, 1982

The Commission expresses its displeasure with this proposed schedule. However, the Commission is aware that the Company is currently in the process of obtaining approval for a Rural Electrification Administration (REA) loan to upgrade its facilities and provide service to new applicants, and it will be necessary to obtain this loan before these proposed service dates can be met;

3) The Company's proposed dates for service to the eleven (11) applicants should be accepted by the Commission. However, the Commission hereby puts the Company on notice that no loan approval or Certificate of Public Convenience and Necessity will be issued to the Company in the future unless the Company demonstrates to the Commission that its proposed construction program can reasonably be expected to provide service to applicants in a timely fashion.

IT IS THEREFORE ORDERED that the schedule of expected service dates detailed in Finding Number (2) of this Order be and it hereby is accepted by the Commission.

IT IS FURTHER ORDERED that Leslie County Telephone Company, Inc., shall provide telephone service in accordance with the schedule detailed in Finding Number (2) of this Order.

IT IS FURTHER ORDERED that Leslie County Telephone Company, Inc., shall, in any future application for loan approvals and/or Certificates of Public Convenience and Necessity before this Commission, demonstrate to the Commission that the proposed construction plans pertaining thereto can reasonably be expected to provide service to applicants in a timely manner.

Done at Frankfort, Kentucky, this 2nd day of February, 1981.

UTILITY REGULATORY COMMISSION

Did not participate

Chairman

A handwritten signature in cursive script, appearing to read "John E. ...", is written over a horizontal line. Below the line, the text "Vice Chairman" is printed.

Commissioner

ATTEST:

Secretary