

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION INTO WHETHER WATS)	
RESELLERS SHOULD BE INCLUDED IN)	ADMINISTRATIVE
THE ULAS ALLOCATION PROCESS)	CASE NO. 328

O R D E R

On April 4, 1989, AT&T Communications of the South Central States, Inc. ("AT&T"), filed a motion to modify the schedule of procedure in this case. Under the schedule of procedure adopted by the Commission, prefiled testimony is due April 14, 1989, and requests for information are due May 3, 1989. AT&T contends that it would be more helpful to the parties if the sequence of events was reversed.

The Commission, having considered the motion and being sufficiently advised, is of the opinion and finds that it should be granted to the extent that data requests should be propounded and answered prior to the filing of testimony.

On April 7, 1989, Telcor, Inc. d/b/a TMC of Louisville and Telamarketing Communications of Evansville, Inc. ("TMC") filed a motion to designate issues and to stay the proceeding. TMC requests that the Commission designate issues on which the testimony is to be filed concerning the application of ULAS to resellers and that the Commission establish a more comprehensive procedural schedule. Also, TMC requests that the Commission stay

this proceeding pending resolution of Administrative Case No. 311¹ and the completion of the discovery phase in Administrative Case No. 323.²

On April 10, 1989, AmeriCall Systems of Louisville ("AmeriCall") filed a motion to establish a procedural schedule and to hold proceedings in abeyance. AmeriCall states that it has not sufficiently engaged in discovery of other parties to determine whether resellers should be subject to ULAS. AmeriCall also states that all issues pending in Administrative Case No. 311 should be finally determined prior to commencing with this proceeding.

The Commission, having considered the motions and being sufficiently advised, is of the opinion and finds that: 1) The request to designate issues is premature. The Commission will designate issues to be addressed in the testimony after the first set of data requests are asked and answered. 2) The request for a stay of this proceeding should be denied. The Commission is of the opinion that it is most appropriate to proceed with this case on a separate basis, though there may be some overlap with Administrative Case No. 311 and Administrative Case No. 323. All

¹ An Investigation of InterLATA Carrier Billed Minutes of Use as a ULAS Allocator.

² An Inquiry into IntraLATA Toll Competition, an Appropriate Compensation Scheme for Completion of IntraLATA Calls By Interexchange Carriers, and WATS Jurisdictionality.

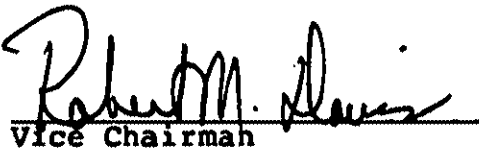
parties to this proceeding are parties in Administrative Case No. 311 and Administrative Case No. 323 and have ample opportunity to address their concerns in those cases. 3) Finally, in response to the request to establish a procedural schedule, the Commission sets forth a schedule contained in Appendix A, attached and incorporated hereto.

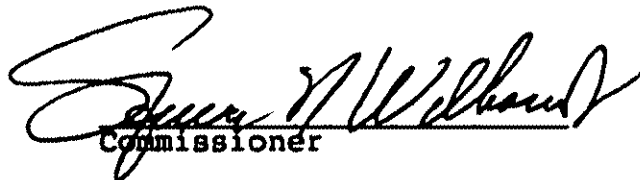
BE IT SO ORDERED.

Done at Frankfort, Kentucky, this 13th day of April, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN ADMINISTRATIVE CASE NO. 328 DATED 4/13/89

Requests for information shall be dueMay 1, 1989

Responses to the requests shall be due.....May 15, 1988

Issues to be addressed in testimony will
be designated by Commission.....May 30, 1989

Prefiled testimony shall be due.....June 13, 1989

Supplemental requests for information
shall be due.....June 27, 1989

Supplemental responses to the requests
shall be due.....July 11, 1989