

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF AMERICAN OPERATOR)	
SERVICES, INC., FOR A CERTIFICATE OF)	
CONVENIENCE AND NECESSITY TO PROVIDE)	CASE NO. 10130
INTRASTATE OPERATOR ASSISTANCE RESOLD)	
TELECOMMUNICATION SERVICES AS A)	
NONDOMINANT CARRIER)	

O R D E R

The Commission in its Order in the above-styled matter dated November 14, 1988 stated that it had reviewed certain confidential exhibits filed by American Operator Services, Inc. ("AOSI") and was of the opinion that AOSI had apparently provided and billed for services within Kentucky in violation of KRS 278.160. Furthermore, in the November 14, 1988 Order the Commission established a procedural schedule which gave the parties an opportunity to comment on the issue of possible refunds.

On December 12, 1988, AOSI filed comments addressing the issue of possible refunds. AOSI contends that the refund issue should not be resolved without a hearing. AOSI also states that the Commission should proceed with its certification and then address the possibility of refunds. However, the Commission is of the opinion that the refund issue should be handled separately at this time.

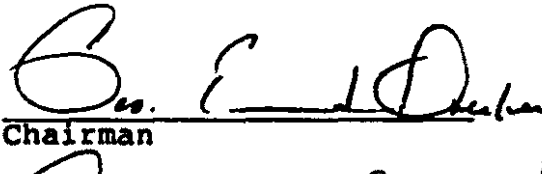
Having reviewed all comments on this matter and being otherwise sufficiently advised, IT IS HEREBY ORDERED as follows:

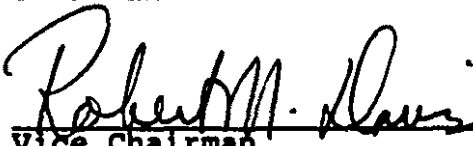
1. AOSI shall appear at a hearing scheduled for February 10, 1989, at 9:00 a.m., Eastern Standard Time, and be prepared to show cause why it should not be required to refund charges collected for all intrastate services rendered in Kentucky prior to its certification or be otherwise fined pursuant to KRS 278.990, for violating provisions of KRS Chapter 278, including KRS 278.160.


2. In the alternative to the above-scheduled hearing, AOSI shall file with the Commission on or before February 9, 1989 a refund plan that refunds the entire amount collected by AOSI for intrastate services provided prior to certification. Said refund plan shall be end-user specific and substantially conform to the plan submitted and approved by the Commission in Case No. 10002.¹

Done at Frankfort, Kentucky, this 31st day of January, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director

¹ Case No. 10002, Application of International Telecharge, Inc. for a Certificate of Public Convenience and Necessity to Operate as a Reseller of Telecommunications Services Within the State of Kentucky, Order dated November 23, 1988.