

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TARIFF FILING OF AMERICALL SYSTEMS)
OF LOUISVILLE) CASE NO. 89-236

O R D E R

By Order dated December 11, 1986 in Case No. 9706,¹ AmeriCall Systems of Louisville ("AmeriCall") received a Certificate of Convenience and Necessity to resell Wide Area Telecommunications Service ("WATS") through the transfer to it of a certificate previously granted to Multi-Com Systems, Inc.²

On July 24, 1989, AmeriCall filed a proposed tariff making numerous revisions to its rates and rules of service which it proposed to place into effect August 23, 1989. The tariff was suspended by Order of the Commission dated August 23, 1989. On September 12, 1989, AmeriCall filed a motion for rehearing and

¹ Case No. 9706, The Joint Application of Multi-Com Systems, Inc. and AmeriCall Systems of Louisville to Transfer the Certificate of Public Convenience and Necessity of Multi-Com Systems, Inc. to AmeriCall Systems of Louisville Pursuant to KRS 278.020 and for Approval of the Assumption of Indebtedness Pursuant to KRS 278.300.

² Case No. 8972, The Application of Multi-Com Systems, Inc. for Certificate of Public Convenience and Necessity to Provide Resale of Telecommunications Services and Facilities Within Kentucky.

reconsideration, requesting that suspension of the tariff be lifted.

In support of its motion, AmeriCall states that the proposed tariff was filed to make certain conforming and technical changes and that it reflects and is similar to its previously approved tariff. AmeriCall further asserts that, due to the abbreviated form of regulation for non-dominant carriers delineated in Administrative Case No. 273,³ the Commission may not suspend AmeriCall's tariff except upon a complaint by an intervenor pursuant to KRS 278.260.

The Commission, having considered AmeriCall's motion and having reviewed both the current and proposed tariffs and being otherwise sufficiently advised, finds that:

1. AmeriCall's proposed tariff extends beyond the conforming and technical changes claimed in its motion.

2. Although an abbreviated form of regulation for non-dominant carriers was adopted in Administrative Case No. 273, the Commission also specifically stated its intention to monitor the non-dominant carrier tariff filings and to require additional information deemed appropriate. Also, Administrative Case No. 273 preserves the complaint procedures set forth in KRS 278.260,

³ Administrative Case No. 273, An Inquiry Into Inter- and IntraLATA Competition in Toll and Related Services Markets in Kentucky.

including the Commission's authority to investigate on its own motion.

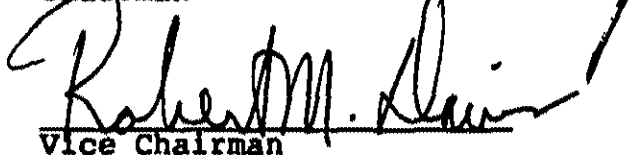
3. Further information and investigation are necessary to determine the reasonableness of the proposed tariff. AmeriCall's motion should, therefore, be denied and the Commission's Order of August 23, 1989 should be reaffirmed.

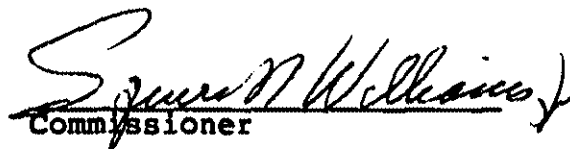
BE IT SO ORDERED.

Done at Frankfort, Kentucky, this 1st day of November, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director