COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF TOLL AND ACCESS CHARGE PRICING AND TOLL SETTLEMENT AGREEMENTS FOR TELEPHONE UTILITIES PURSUANT TO CHANGES TO BE EFFECTIVE JANUARY 1, 1984	)	CASE NO. 8838 PHASE I
AND	)	
DETARIFFING BILLING AND COLLECTION SERVICES	)	ADMINISTRATIVE CASE NO. 306

O R D E R

On July 2, 1990, South Central Bell Telephone Company ("South Central Bell") filed an application for expediting rehearing or clarification and motion for stay. In addition to requesting clarification for certain aspects of the Commission's June 11, 1990 Order, South Central Bell requests a stay for enforcement of the June 11, 1990 Order until the Commission has clarified or modified the Order. South Central Bell raises two main concerns. First is the effect of the June 11 Order on Local Exchange Carriers' ("LEC") ability to bill interstate messages. Second is the prohibition against LEC billing and collection for 976 vendor services or any other non-tariffed services of jurisdictional interexchange carriers from the April 30, 1990 Order in this proceeding.

On July 10, 1990, Integretel, Inc. filed comments on South Central Bell's application stating it had no objection if

Integretel, Inc. is included in any hearings or conferences which result from granting rehearing.

South Central Bell seeks clarification on several aspects of the Commission's June 11, 1990 Order concerning interstate messages. South Central Bell asserts that the April 30, 1990 Order on its face relates only to billing and collection services provided by LECs to IXCs or their billing intermediaries for IXC messages, but that the June 11, 1990 Order is not so restricted. The Commission recognizes that the April 30, 1990 Order initially stated that its application would be limited to billing and collection services provided by LECs to IXCs for IXC messages; however, it is also clear that the same Order addresses billing and collection issues of non-IXC messages. Neither the April 30, 1990 Order nor the June 11, 1990 Order is limited by focusing only on IXC messages; other items are addressed in both Orders.

South Central Bell further asserts that it is unclear whether the June 11, 1990 Order continues to recognize and authorize billing and collections for "special cases." The Commission will clarify that the June 11, 1990 Order did not intend to eliminate the possibility of special cases which may be considered in the future upon application.

South Central Bell seeks clarification of the following language contained in ordering paragraph 5 of the June 11, 1990 Order: "the type of utility service allowed by Kentucky State Law to be tariffed for utility service." The Commission believes this language is clear, concise and understandable. For example, in the area of 900-type services, the regulated charges associated

with the provision of 900 service are utility services and may, therefore, appear on LEC bills. However, the vendor charges should not appear on LEC bills.

South Central Bell's second major issue involves whether LECs can bill and collect for 976 vendor services. The Commission clarifies the previous Orders in this proceeding to allow the LECs to bill and collect for regulated 976 access services provided by the LECs to vendors; however, unregulated vendor charges by 976 providers should not appear on LEC bills. All LECs should have 20 days to file tariffs conforming with this requirement or to request a hearing for the purpose of showing why they should not have to comply with this requirement.

The Commission, having been otherwise sufficiently advised, HEREBY ORDERS that:

1. South Central Bell's motion for expedited rehearing is hereby denied.

2. South Central Bell's motion for clarification is granted to the extent set forth above.

3. South Central Bell's motion for a stay is granted for the period in which the Commission has considered these motions by South Central Bell and during which it will consider and review the 976 tariff changes or comments.

4. Any LEC which currently has a tariff on file that is in noncompliance with this Order, in particular the billing and collection of 976 vendor services, shall have 20 days to file

tariffs in conformity with this Order or request a hearing for the purpose of showing why it should not have to comply with this Order.

5. All LECs shall file a revised tariff in conformity with this Order and the June 11, 1990 Order herein within 20 days of the date of this Order.

Done at Frankfort, Kentucky, this 19th day of July, 1990.

PUBLIC SERVICE COMMISSION

Chairman

Vice Chairman

Commissioner

ATTEST:

Executive Director