

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE BILLING AND COLLECTION)
SERVICE TARIFF FILING OF) CASE NO. 90-090
GTE SOUTH INCORPORATED)

O R D E R

This matter arising upon motion of AmeriCall Systems of Louisville ("AmeriCall") filed October 8, 1990, as intervenor herein, for reconsideration of the Commission's Order entered September 17, 1990 approving the revised tariffs filed by GTE South Incorporated ("GTE South") on March 19, 1990, on the grounds that such approval was premature, and it appearing to the Commission as follows:

On September 17, 1990, the Commission approved GTE South's proposed revisions to its intrastate access services tariff. The revisions involve those portions of the tariff concerning charges applicable to billing and collection services. As a user of such services provided by GTE South, AmeriCall was permitted to intervene in this action with full rights of a party by Order entered May 22, 1990. In its petition for reconsideration, AmeriCall states that the tariff filing should be rejected and that the Commission further investigate the issues involved in this proceeding, including those raised by AmeriCall.

The basis of AmeriCall's motion is that it was denied an opportunity to review information concerning GTE South's costs in

providing billing and collection services before the proposed tariff revisions for those services were approved. That information was provided to the Commission in response to a data request made by AmeriCall on June 25, 1990 upon GTE South. GTE South responded to the request by filing the information with the Commission on July 9, 1990 and simultaneously requesting that it be protected from public disclosure as confidential. The petition for confidential protection, however, was insufficient and on August 29, 1990, GTE South was given leave to file a supplement to its petition within 20 days. The supplemental petition was filed on September 17, 1990. On that same date, the Commission entered its Order approving the proposed revisions to the intrastate access services tariff.

As stated above, the proposed tariff was filed on September 17, 1990. After reviewing the tariff filing, the Commission determined on April 12, 1990 that further investigation was necessary to determine reasonableness of the proposed revision and the tariff was suspended for five months from the proposed effective date through September 18, 1990. It was following that Order that AmeriCall was permitted, on May 22, 1990, to intervene as a full party to these proceedings.

On June 21, 1990, the Commission entered a procedural Order which required in part that any motion for a public hearing in this matter must be accompanied by prefiled testimony and must be filed on or before July 16, 1990. The Order was never modified or amended and copies of the Order were served upon the parties, including AmeriCall. Although AmeriCall was aware of the

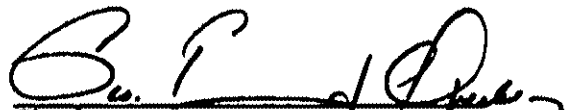
procedural schedule, and presumably was also aware of the suspension period, it made no request for a hearing or to modify the procedural schedule. In the absence of any request or motion to modify the schedule, it was reasonable for the Commission, having reviewed the information pertaining to the proposed revisions, including the information filed in response to AmeriCall's data request, to enter an Order approving the revisions. Therefore, the motion for reconsideration should be denied.

This Commission being otherwise sufficiently advised,


IT IS HEREBY ORDERED that the motion by AmeriCall to reconsider the Commission's Order of September 17, 1990 be and is hereby denied.

Done at Frankfort, Kentucky, this 29th day of October, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director