

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AMERICAN PUBLIC COMMUNICA-)
TIONS, INC. TO OPERATE AS A RESELLER OF)
INTEREXCHANGE TELECOMMUNICATIONS SERVICES) CASE NO. 90-277
AND OPERATOR SERVICES WITHIN THE STATE OF)
KENTUCKY)

O R D E R

IT IS ORDERED that American Public Communications, Inc. ("APC") shall file the original and ten copies of the following information with the Commission, with a copy to all parties of record. Each copy of the information requested shall be placed in a bound volume with each item tabbed. Include in each response the name of the witness who will be responsible for responding to questions relating to the information provided.

The information requested herein is due no later than 30 days from the date of this Order. If the information cannot be provided by this date, APC should submit a motion for an extension of time stating the reason a delay is necessary and include a date by which it can be furnished. Such motion will be considered by the Commission.

1. Has APC ever provided service and/or collected any money from the public for the provision of intrastate telecommunications services in Kentucky? If so, explain in detail.

2. Identify the carriers whose services APC intends to resell.

3. If APC intends to resell tariffed services of facilities-based carriers, identify these tariffed services and specify whether these services will be obtained from intrastate or interstate tariffs.

4. If APC intends to resell services that are not available under an approved tariff, provide copies of the contracts which govern the terms of the agreement between APC and its facilities-based carriers.

5. Provide a clear and legible sketch showing all the switching locations and/or points-of-presence. Show how the facilities obtained from facilities-based carriers will be used to connect these locations. Include local access facilities and identify the local access that will be used.

6. State whether APC is aware of the Commission's rules, restrictions, and prohibition against providing intraLATA services by non-local exchange facilities-based carriers. Explain in detail how APC will comply with those restrictions.

7. If switching locations and/or points-of-presence are located outside the Commonwealth of Kentucky, explain how APC will ensure that intrastate access charges will be paid.

8. Explain how APC will screen intraLATA traffic if APC intends to resell services or facilities authorized only for interLATA traffic but which can carry intraLATA traffic.

9. Does APC own and/or operate any transmission facilities in the Commonwealth of Kentucky or any other jurisdiction? If so, explain.

10. Does APC have any affiliation with any other company which owns and/or operates any transmission facilities in any jurisdiction? If so, explain.

11. Specify the Kentucky counties which APC proposes to serve.

12. Describe how calls will be transported from the customer's premises to the operator service centers. Include identification of APC's switching locations, operator service locations, and identification of services and providers of the services being resold.

13. Specify the facilities and/or services used by APC to transport calls from the customer's premises to APC's originating point-of-presence, such as the types of access utilized (Feature Groups A, B, or D, Special Access, WATS, etc.). Identify the local exchange companies from whom such access and/or services are purchased.

14. If the location of operator centers is not the same as switching location, specify the facilities and/or services used to bridge operators onto a call placed over the network.

15. Provide a description of how such calls are transported to final termination points. Specify the facilities and/or services used to terminate calls.

16. Provide a copy of all current contracts entered into with any business, institution, and/or corporation for the

provision of operator-assisted services by APC and/or any of its affiliates.

17. Explain how APC's operators identify APC to the end-user when handling an operator-assisted call.

18. Explain in detail how APC transfers calls to local exchange companies' operators when requested by an end-user.

19. Explain in detail how APC transfers calls to competing carriers' operators when requested by an end-user.

20. Explain in detail APC's calling card validation capabilities.

21. Explain in detail how APC handles emergency calls.

22. Is APC able to comply with each of the conditions of service for operator-assisted services detailed in the September 8, 1989 and January 15, 1990 Orders in Administrative Case No. 330,¹ and the August 3, 1989 Order in Case No. 10002?² Provide a detailed explanation of compliance for each condition of service. Also, provide revised tariff sheets consistent with these Orders. The revised tariff sheets should include all the prohibition requirements regarding blocking/interception to competing carriers' operators and local exchange

¹ Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services.

² Case No. 10002, The 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.

companies' operators, tent card/sticker provision by aggregators, rates, holiday rates, and additional charges for operator assistance.

23. Provide an estimate of sales revenues for first 2 years of Kentucky operations. Explain how APC arrived at these estimates. If estimates are based upon a market study, provide a copy of this study.

24. Provide a listing of financial institutions with which APC has a line of credit. State APC's credit line with each of these institutions.

25. State whether APC is aware of the provisions of Kentucky Public Service Commission Administrative Case No. 273³ and how it will apply to APC's Kentucky operations.

26. State whether APC is aware of the potential impact of Administrative Case Nos. 323 and 328,⁴ now pending before this Commission, that may apply to APC's Kentucky operations.

27. Provide a toll-free number or provision for accepting collect calls for customer complaints.

28. Explain in detail the qualifications and experience of personnel directly responsible for the proposed services.

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

⁴ Administrative Case No. 323, An Inquiry Into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality; Administrative Case No. 328, Investigation Into Whether WATS Resellers Should Be Included in the ULAS Allocation Process.

29. Is APC aware that "DEDICATED SERVICES," "INCOMING 800 SERVICE," and "TRAVEL SERVICE" shall only be provided under the following conditions:

a. APC shall measure and report interstate and intrastate jurisdictional usage and interLATA and intraLATA usage. APC shall file reports with the Commission on a quarterly basis.

b. APC shall inform its prospective customers that the use of these services to complete intraLATA calls is not authorized by the Commission.

c. APC shall be prepared to compensate local exchange companies for unauthorized call completion.

30. Refer to Section 3.2 of the Original Sheet 10 of the proposed tariff. The formula needs a square root over it. Correct and provide a revised tariff sheet.

31. Section 3.3 of the Original Sheet 11 of the proposed tariff states "A customer can expect a call completion rate of 99% (number of calls completed/number of calls attempted) of not less than 99% during peak use periods for all FGD services ("1+" dialing)." This sentence does not make sense mathematically. Clarify and provide a revised tariff sheet.

32. Refer to Section 3.4.1 of the Original Sheet 11 of the proposed tariff.

a. Is "CARRIER SERVICE" provided through switched access or dedicated/special access? If it is through dedicated/special access, the conditions outlined in Item 29 are applied to "CARRIER SERVICE" also.

b. Should "\$10,00.00" be \$10,000? Clarify.

c. Is APC aware that the Commission does not permit different pricing for different LATAs? Provide a revised tariff sheet. A copy of the July 26, 1990 letter of the Commission's Executive Director in Case No. 90-193⁵ is attached.

33. Refer to Section 3.4.3 of the Original Sheet 12 of the proposed tariff. What is the minimum required usage for using "DIRECT DIAL SERVICE"?

34. Refer to Section 4.6 of the Original Sheet 14 of the proposed tariff. Is APC aware that "SPECIAL PROMOTIONS AND DISCOUNTS" require prior Commission approval and prior tariff filing. Provide a revised tariff sheet in compliance with this matter.

35. Exhibits C, D, E, and F mentioned in paragraph 8 of the application were not provided. Provide those exhibits.

Done at Frankfort, Kentucky, this 15th day of October, 1990.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

⁵ Case No. 90-193, The Tariff Filing of SouthernNet, Inc. D/B/A Telecom*USA to Change from Statewide to InterLATA and IntraLATA Structure.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
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POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

July 26, 1990

Mr. Peter H. Reynolds
SouthernNet, Inc.
Suite 800
780 Douglas Road
Atlanta, GA 30342-1409

RE: Tariff Filing of June 27, 1990

Case No. 90-193

Dear Mr. Reynolds:

The Commission Staff has reviewed SouthernNet's proposed tariff to move from a statewide structure to an interLATA and intraLATA structure for the First Choice offering. The filing is hereby rejected and is being returned to you.

In reviewing the tariff, Staff concluded that the rates vary between LATAs and that this rate structure is equivalent to a deaveraged toll rate schedule. Generally, the Commission has not allowed telecommunications utilities to deaverage toll rate schedules.

Enclosed for informational purposes is an Order wherein the Commission denied a tariff filing based on this issue. For further information on this matter, please contact either Amy Dougherty of our Legal Division at (502) 564-8056 or Bob Redmond of the Rate Division at (502) 564-2851.

Sincerely,

Lee M. MacCracken
Lee M. MacCracken
Executive Director

LMM:CL:lad:130

Enclosure.