

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF U.S. LONG DISTANCE, INC.)
TO OPERATE AS A RESELLER OF INTEREX-)
CHANGE TELECOMMUNICATIONS SERVICES AND) CASE NO. 91-056
OPERATOR SERVICES WITHIN THE STATE OF)
KENTUCKY)

O R D E R

On February 19, 1991, U.S. Long Distance, Inc. ("USLD") filed its application with the Commission seeking a Certificate of Public Convenience and Necessity to provide intrastate interLATA telecommunications services including interLATA operator-assisted services.

The Commission ordered USLD to file additional information by Orders dated April 17, 1991 and May 6, 1991. USLD filed its responses on May 13, 1991, May 24, 1991, and June 6, 1991.

On April 8, 1991, South Central Bell Telephone Company filed a motion for intervention in this case. This motion was granted on April 10, 1991.

The Commission established Administrative Case No. 330¹ to address the restrictions and guidelines for the provision of operator-assisted telecommunications services by non-local exchange carriers.

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

Based on its application and responses, USLD appears fully aware of Administrative Case No. 330 and has stated its ability and intent to comply with the Orders issued in that case. Therefore, USLD should be authorized to provide intrastate interLATA operator-assisted services, subject to all guidelines, requirements, restrictions, and conditions of service addressed in Administrative Case No. 330.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, HEREBY ORDERS that:

1. USLD be and it hereby is granted authority to provide intrastate interLATA telecommunications services including interLATA operator-assisted services, subject to all restrictions, conditions of service, and guidelines described in the March 27, 1991 Order in Administrative Case No. 330. Those requirements are:

- a. Operator-assisted services shall be subject to rate regulation and rates shall not exceed AT&T Communications of the South Central States, Inc.'s ("AT&T's") maximum approved rates. "Maximum approved rates" is defined as the rates approved by this Commission in AT&T's most recent proceeding for measured toll service applicable to operator-assisted calls as well as the additional charges for operator assistance. USLD is not permitted to include any other surcharge or to bill for uncompleted calls. Time-of-day discounts shall also be applicable. USLD is also required to rate calls using the same basis that AT&T uses to rate

calls, i.e., distance calculations based on points-of-call origination and termination, definitions of chargeable times, billing unit increments, rounding of fractional units, and minimum usages. When there is any change in AT&T's maximum approved rates, USLD shall file tariffs necessary to comply with the requirements herein within 30 days from the effective date of AT&T's rate change.

b. USLD shall be subject to regulation as delineated in the May 25, 1984 and October 26, 1984 Orders in Administrative Case No. 273,² as well as any subsequent modifications to non-dominant carrier regulations.

c. Access to the operator services of competing carriers shall not be blocked or intercepted; however, this requirement does not pertain to situations where the customers who have control of premises equipment are also the users and billpayers of the services.

d. Access to the local exchange carriers' operators shall not be blocked or otherwise intercepted by traffic aggregators. Specifically, all "0 minus"³ calls shall be directed to the local exchange carriers' operators. In equal access areas, "0 plus"⁴ intraLATA calls shall not be intercepted or blocked. In

² Administrative Case No. 273, An Inquiry Into Inter- and IntraLATA Competition in Toll and Related Services Markets in Kentucky.

³ A "0 minus" or "0-" call occurs when an end-user dials zero without any following digits.

⁴ "0 plus" or "0+" call occurs when an end-user dials zero and then dials the digits of the called telephone number.

non-equal access areas, USLD is prohibited from blocking or intercepting "0 minus" calls; however, it is permissible to intercept "0 plus" calls.

e. Blocking and interception prohibitions shall be included in USLD's tariffs and contracts by stating that violators will be subject to immediate termination of service after 20 days notice to the owners of non-complying customer premises equipment.

f. USLD shall provide tent cards and stickers to be placed near or on telephone equipment provided by its traffic aggregators. USLD shall include provisions in tariffs and contracts that subject violators to termination of service.

g. USLD's operators shall be required to identify USLD, making reference to "U.S. Long Distance, Inc.," at least once during every call before any charges are incurred.

h. USLD's operators shall provide an indication of its rates to any caller upon request.

i. USLD shall not accept calling cards for billing purposes if it is unable to validate the card.

2. This authority to provide service is strictly limited to those services described in this Order, USLD's application, and conditions described in this Order.


3. USLD shall comply with the Commission decisions in Administrative Case Nos. 323⁵ and 328,⁶ now pending, that may apply to USLD's Kentucky operations.

4. USLD's proposed tariff filed on June 6, 1991 is hereby approved. Within 30 days from the date of this Order, USLD shall file its tariff sheets in accordance with 807 KAR 5:011.

Done at Frankfort, Kentucky, this 9th day of July, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director

⁵ 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.

⁶ Administrative Case No. 328, Investigation Into Whether WATS Resellers Should be Included in the ULAS Allocation Process.