

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF BUSINESS TELECOM, INC.)
D/B/A BTI FOR A CERTIFICATE OF PUBLIC) CASE NO.
CONVENIENCE AND NECESSITY TO PROVIDE RESOLD) 92-367
INTRASTATE TELECOMMUNICATIONS SERVICE)

O R D E R

IT IS ORDERED that Business Telecom, Inc. ("BTI") shall file the original and ten copies of the following information with the Commission. The information requested shall be placed in a bound volume with each item tabbed.

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, BTI shall 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 BTI or any of its affiliates ever provided and/or collected any money from the public for the provision of intrastate telecommunications services in Kentucky? If so, explain.

2. Does BTI own and/or operate or have any affiliation with any other company that operates coin-operated telephones in Kentucky? If so, explain.

3. Refer to the Income Statement Summary. Explain the amount of WATS revenue for the first two quarters of 1992.

4. Pursuant to 807 KAR 5:006, Section 6(3), include the billing format to be used or its contents within your tariff.

5. Refer to Section 2.7 of the proposed tariff. Provide a revised tariff sheet setting out in detail the criteria to be considered in determining whether a customer will be required to make a deposit.

6. Section 2.5 of the proposed tariff refers to compliance with the priority system specified in Part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission ("FCC"). Provide a revised tariff sheet clarifying subscriber responsibility under Part 64, Subpart D of the Rules and Regulations of the FCC.

7. Refer to Original Sheet No. 12. Add the following language at the end of Section 2.3:

a. Acceptance by the Commission of the liability provisions contained in this tariff does not constitute its determination that the limitation of liability imposed by the company should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this tariff.

8. Provide a revised tariff sheet for Sections 2.6.1 and 2.6.2 setting forth the notice requirements for termination or denial of service in compliance with 807 KAR 5:006, Section 14.

Done at Frankfort, Kentucky, this 25th day of SEPTEMBER, 1992.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director