

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF TELEDIAL AMERICA,)
INC. FOR A CERTIFICATE OF CONVENIENCE)
AN NECESSITY TO PROVIDE INTEREXCHANGE) CASE NO. 93-094
TELECOMMUNICATIONS SERVICES AS A)
FACILITIES BASED NONDOMINANT CARRIER)

O R D E R

On March 19, 1993, Teledial America, Inc. ("Teledial") filed an application with the Commission seeking a Certificate of Public Convenience and Necessity to provide intrastate long-distance telecommunications services as a non-dominant, facilities-based carrier within the Commonwealth of Kentucky. Teledial was ordered to file additional information on April 20, 1993. Teledial filed its response on June 9, 1993.

Teledial is a Michigan corporation with its principal offices in the state of Michigan and intends to provide tariffed services as a non-dominant, facilities-based carrier. Teledial has requested authority to provide operator-assisted telecommunications services.

Teledial filed its proposed tariff on March 19, 1993. In response to the Commission's request for additional information, Teledial filed revised tariff sheets on June 9, 1993. The Commission finds that Teledial has not revised its tariff to comply with the restrictions, guidelines, and conditions of service established for the provision of operator-assisted services in

Administrative Case No. 330,¹ which are attached hereto and incorporated herein as Appendix A, and therefore the rates proposed by Teledial should be denied.

The application provided by Teledial demonstrates its financial, managerial, and technical capability. The Commission finds that Teledial should be authorized to provide intrastate long-distance telecommunications services as a non-dominant, facilities-based carrier within the Commonwealth of Kentucky.

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

1. Teledial be and it hereby is granted authority to provide intrastate long-distance telecommunications services within the Commonwealth of Kentucky as a non-dominant, facilities-based carrier on and after the date its tariff is approved.

2. Teledial be and it hereby is granted authority to provide intrastate operator-assisted services upon approval of its tariff.

3. IntraLATA services shall be provided in accordance with the restrictions and conditions of service contained in Administrative Case No. 323.²

4. Teledial's authority to provide service is strictly limited to those services described in this Order and Teledial's

¹ Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services, Orders dated March 27 and May 3, 1991.

² 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, Phase I, Order dated May 6, 1991.

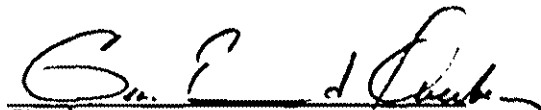
application, and the conditions described in this Order and its Appendix A.

5. The rates proposed by Teledial on March 19, 1993 and revised on June 9, 1993 are hereby denied.

6. Within 30 days from the date of this Order, Teledial shall file its revised tariff sheets, setting out rates no higher than AT&T's tariffed rates in accordance with Administrative Case No. 330 and the restrictions and conditions of service contained herein.

Done at Frankfort, Kentucky, this 27th day of July, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 93-094 DATED JULY 27, 1993

Conditions of Service for the Provision of Operator Services Adopted from Commission Orders in Administrative Case No. 330, Orders Dated March 27, 1991 and May 3, 1991.

Teledial America, Inc. shall revise its tariff to conform to the policies and procedures for the provision of operator-assisted telecommunications services by non-local exchange carriers, which are as follows:

(a) Operator-assisted services shall be subject to rate regulation and rates shall not exceed AT&T's maximum approved rates. "Maximum approved rates" is defined to mean the rates approved by this Commission in AT&T's most recent rate proceeding for measured toll service applicable to operator-assisted calls, as well as the additional charges for operator assistance. Carriers are not permitted to include any other surcharges or to bill for uncompleted calls. Time-of-day discounts shall also be applicable. Carriers are 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, carriers shall file tariffs if necessary to comply with the requirements herein within 30 days of the effective date of AT&T's rate change.

(b) Except as otherwise indicated in this Order, non-dominant carriers shall be subject to regulation as delineated in the May 25, 1984 Order in Administrative Case No. 273 as well as any subsequent modifications to non-dominant carrier regulations. In the event of conflict, the terms of the instant Order shall take precedence, unless a carrier is specifically relieved from compliance with any conditions contained herein. AT&T shall remain subject to regulatory oversight as a dominant carrier.

(c) Operator service providers that provide service to traffic aggregators shall not allow access to the operator services of competing carriers to be blocked or intercepted. Blocking and interception prohibitions shall be included in tariffs and all contracts entered into with any traffic aggregator and shall state that violators will be subject to immediate termination of service after 20 days' notice to the owners of non-complying customer premises equipment.

(d) Access to the local exchange carriers' operators shall not be blocked or otherwise intercepted by traffic aggregators. Specifically, all "0-" calls, that is, when an end-user dials zero without any following digits, shall be directed to the local exchange carrier operators. In equal access areas, "0+" intraLATA calls, that is, when an end-user dials zero and then dials the digits of the called telephone number, shall not be intercepted or blocked. In non-equal access areas, it is prohibited to block or intercept "0-" calls; however, it is permissible to intercept "0+" calls. Blocking and interception prohibitions shall be included in tariffs and all

contracts entered into with any traffic aggregator and shall state that violators will be subject to immediate termination of service after 20 days' notice to the owners of non-complying customer premises equipment.

(e) Carriers shall not be required to provide access codes of competitors. Each carrier should advise its own customers as to the appropriate 10XXX access code.

(f) Carriers shall provide tent cards and stickers to traffic aggregators to be placed near or on telephone equipment used to access their services and shall include provisions in tariffs and contracts entered into with any traffic aggregator that subject violators to immediate termination of service after 20 days' notice to the owners of non-complying customer premises equipment.

(g) Operators shall identify the carrier at least once during every call before any charges are incurred.

(h) Operators shall provide an indication of the carrier's rates to any caller upon request.

(i) Carriers shall not accept calling cards for billing purposes if they are unable to validate the card.