

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF EASTERN TELECOM)
CORPORATION, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO) CASE NO. 93-356
RESELL TELECOMMUNICATIONS SERVICES IN)
THE STATE OF KENTUCKY)

O R D E R

IT IS ORDERED that Eastern Telecom Corporation ("Eastern Telecom") 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, Eastern Telecom shall submit a motion for an extension of time stating the reason a delay is necessary and include a date by which the information can be furnished. Such motion will be considered by the Commission.

1. Has Eastern Telecom or any affiliate ever provided or collected money from the public for the provision of telecommunications services in the Commonwealth of Kentucky?

2. Identify the tariffed services which Eastern Telecom intends to resell and specify whether these services will be obtained from intrastate or interstate tariffs.

3. If Eastern Telecom 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 Eastern Telecom and its facilities-based carrier.

4. State whether Eastern Telecom is aware of and able to comply with the provisions of this Commission's Administrative Case No. 323.¹

5. Provide any contracts Eastern Telecom has with underlying carriers, contractors or other operator services providers for the provision of operator services in the Commonwealth of Kentucky.

6. State that Eastern Telecom will comply with all rules and conditions of service contained in Administrative Case No. 330² as summarized in Appendix A to this Order.

7. If Eastern Telecom uses its own operator center, is Eastern Telecom aware of and able to comply with the provisions of 807 KAR 5:061, Section 22(1)?

8. Refer to Eastern Telecom's proposed tariff, filed September 22, 1993, and provide revised tariff sheets where necessary for the following items.

a. Refer to Original Sheet 15, Heading XVI, Section 2(G), Payment for Service. Explain why the late payment fee for Integrity Hospitality One is 8.5 percent per month greater than for all the other customer.

¹ 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.

² Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services, Orders Dated March 27 and May 3, 1991.

b. Include in your tariff all rates for Day, Evening, Night, and Weekend time periods.

c. Include in your tariff the length of all increments of billing for your Hotels and Motels Services.

d. Refer to Rates, Section II on Original Sheets 23 and 24 for Hotels and Motels Services. The company's operator services per minute usage charges and surcharges should not exceed the rates charged by AT&T for comparable interLATA calls and the rates charged by the LECs for comparable intraLATA calls.


e. Pursuant to 807 KAR 5:006, Section 7(7)(e), state in your tariff the manner in which interest on deposits will be calculated and accrued and refunded or credited to customers' bills.

Done at Frankfort, Kentucky, this 22nd day of November, 1993.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 93-356 DATED November 22, 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.

(1) 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") 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.

(2) 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.

(3) 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.

(4) Traffic aggregator is defined to mean any person that, in the ordinary course of its operations, makes telephones available to the public or to transient users of its premises for intrastate telephone calls using a provider of operator services. Aggregators include hotels and motels, hospitals, universities, airports, gas stations, and non-local exchange carrier pay telephone owners. This definition includes the provision of all non-local exchange carrier pay telephones even if no compensation is paid to the owner of the pay telephone. The residential use of operator services is specifically excluded from this definition.

(5) 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.

(6) 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.

(7) 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.

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

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

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