

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY COIN PAY PHONES, INC.)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 94-132
)	
COIN PHONE MANAGEMENT COMPANY)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

Coin Phone Management Company ("Coin Phone") is hereby notified that it has been named as defendant in a formal complaint filed on April 4, 1994, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Coin Phone is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 7th day of April, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director


Commissioner

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Kentucky Coin Pay Phones, Inc.

(Your Full Name)

COMPLAINANT

VS.

Coin Phone Management Company

(Name of Utility)

DEFENDANT

RECEIVED

APR 04 1994

PUBLIC SERVICE
COMMISSION

COMPLAINT

94.132

The complaint of Kentucky Coin Pay Phones, Inc. respectfully shows:
(Your Full Name)

(a) Harold G. Jetter Jr., President
(Your Full Name)

11 McAlpin Avenue; Erlanger, Ky. 41018
(Your Address)

(b) Coin Phone Management Company
(Name of Utility)

1846 Cargo Court; Louisville, Ky. 40299
(Address of Utility)

(c) That: Un-ethical Business Practices; See attached sheet
(Describe here, attaching additional sheets if

necessary, the specific act, fully and clearly, or facts

that are the reason and basis for the complaint.)

Formal Complaint

Kentucky Coin Pay Phones, Inc. VS Coin Phone Management Company
(Your Name) (Utility Name)


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Wherefore, complainant asks See Attachment
(Specifically state the

relief desired.)

Dated at Erlanger, Kentucky, this 1st day
(Your City)

of April, 1994.
(Month)


(Your Signature)
J. Eugene Hancock
11 McAlpin Ave.; Erlanger, Ky. 41018
(Name and address of attorney, if any)



Kentucky Coin Pay Phones, Inc.

11 McAlpin Avenue
Erlanger, KY 41018
(606) 727-6633

April 1, 1994

Attachment, sub-section (c), Formal Complaint

One of our company's largest accounts is G&M Oil Company, whose offices are located in Barbourville, Ky.. We first installed pay telephone equipment in their location, in 1987. G&M Oil recently purchased additional locations, and contracted with our company to install pay telephones at their new acquisitions, as well. Two of the newly acquired G&M Oil locations were found to have Coin Phone Management Company's pay telephones already in place, by agreement with the previous owners.

On March 16, 1994, I personally wrote a letter to Mr. Tom Rose, of Coin Phone Management Company which was faxed to him, explaining the situation relative to our company and G&M Oil Company. A few days later, Mr. Rose called me and said he thought the two locations in question were under contract to his company, but was unclear as to when the contracts were signed, and by whom. He further stated that he would send a copy of the contracts to Mr. Phil Scharr, of G&M Oil, and did so.

On March 28, 1994, after reviewing the Contracts sent to G&M Oil, Mr. Phil Scharr placed a telephone call to Coin Phone Management Company, and spoke with Mr. James C. Carman, who we understand is their Vice-President of Operations. That call, specifically Mr. Carman's Comments, are the basis of this Formal Complaint. After their conversation, Mr. Scharr called our office and informed me that Mr. Carman had "Bad-Mouthed" our company in a severe manner and that Mr. Carman further advised him that "he would be sorry, if he did business with Kentucky Coin Pay Phones, Inc.." Mr. Scharr told me he would be happy to tell the Commission the details of the call, and can be reached at (606)-546-3909.

We deem Mr Carman's un-professional comments to be un-called for, un-ethical, defamatory, and libelous. If a person at Mr. Carman's level of management is capable of this sort of behavior, we must assume that all his subordinates would be capable of same. Mr. Carman's defense was "that he has heard of customer complaints, regarding Kentucky Coin Pay Phones, Inc." We have heard numerous complaints from people, regarding Coin Phone Management Co., and generally disregard comments of that nature. We most certainly do not try to gain a business advantage, by usage of those comments. We are unclear as to what relief we might obtain from the Commission, but we hope to somehow stop this sort of practice from occurring again. We are aware that any punitive damages must come from other approaches and may opt to pursue those remedies, as well.