

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF WESTINGHOUSE ELECTRIC)	
CORPORATION, D/B/A WESTINGHOUSE COMMUNICATIONS,)	
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND)	CASE NO.
NECESSITY TO OPERATE AS A RESELLER OF)	94-312
TELECOMMUNICATIONS SERVICES WITHIN THE)	
COMMONWEALTH OF KENTUCKY)	

O R D E R

On August 22, 1994, Westinghouse Electric Corporation, d/b/a Westinghouse Communications ("Westinghouse") filed its application with the Commission seeking a Certificate of Public Convenience and Necessity to provide intrastate, long-distance telecommunications services as a reseller within the Commonwealth of Kentucky.

Westinghouse is a Pennsylvania corporation proposing to resell the services of carriers currently certified within the Commonwealth of Kentucky in accordance with the terms and conditions set forth in its tariff. Westinghouse does not seek authority to provide operator-assisted telecommunications services.

Westinghouse employs no intrastate transmission or reception telecommunications equipment or facilities in the performance of its services, and all intrastate facilities, equipment, and networking will be provided by the underlying carrier. Westinghouse will not construct any new facilities in the Commonwealth of Kentucky.

In its October 21, 1994 response to the Commission's September 22, 1994 Order, Westinghouse admitted that it had received

compensation for the provision of intrastate telecommunications services within the Commonwealth of Kentucky prior to obtaining the authority granted herein. Pursuant to discussions with Commission Staff, Westinghouse filed an affidavit verifying that refunds or credits had been made to current and previous customers. Also included was a \$100 check to the Kentucky State Treasurer as voluntary payment pursuant to KRS 278.990.

The information provided by Westinghouse demonstrates its financial, managerial, and technical capability to provide intrastate, long-distance telecommunications service. The proposed rates filed August 22, 1994 should be approved as the fair, just, and reasonable rates to be charged.

The Commission, having considered the application, the information provided by Westinghouse, and being otherwise sufficiently advised, HEREBY ORDERS that:

1. Westinghouse be and it hereby is granted authority to provide intrastate, long-distance telecommunications services within the Commonwealth of Kentucky on and after the date of this Order.

2. Westinghouse shall comply with the provisions of the Orders in Administrative Case No. 323.¹

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.

3. Westinghouse's authority to provide service in this Commonwealth is strictly limited to those services described in this Order and Westinghouse's application.

4. The rates and charges proposed by Westinghouse are hereby approved as filed on August 22, 1994.

5. Within 30 days from the date of this Order, Westinghouse shall file its tariff sheets in accordance with 807 KAR 5:011.

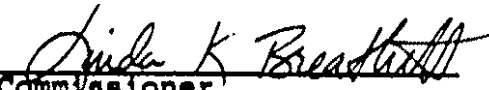
6. The voluntary payment made pursuant to KRS 278.990 and customer credits or refunds for intrastate calls made prior to the authority granted herein are reasonable satisfaction for Westinghouse's unauthorized service.

Done at Frankfort, Kentucky, this 30th day of January, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director