

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF IDT AMERICA, CORP.     )  
FOR A CERTIFICATE TO RESELL                 ) CASE NO. 94-523  
TELECOMMUNICATIONS SERVICE                )

O R D E R

On December 21, 1994, IDT America, Corporation ("IDT America") filed an application with the Commission seeking a Certificate of Public Convenience and Necessity to resell intrastate long-distance telecommunications services within the Commonwealth of Kentucky. On February 16, 1995, IDT America filed its response to the Commission's February 8, 1995 Order requesting additional information.

IDT America is a New Jersey corporation with its principal offices in the state of New Jersey and intends to resell tariffed services of facilities-based carriers certified by this Commission. IDT America does not request authority to provide operator-assisted telecommunications services.

IDT America does not own or operate, nor does it intend to construct, any telecommunications transmission facilities within the Commonwealth of Kentucky. All intrastate telecommunications transmission services will be provided by an underlying carrier certified by this Commission.

The application provided by IDT America demonstrates its financial, managerial, and technical capability to provide utility

service. The Commission finds that IDT America should be authorized to resell intrastate long-distance telecommunications services within the Commonwealth of Kentucky.

IDT America filed its proposed tariff on December 21, 1994. In response to the Commission's request for additional information, IDT America filed revised tariff sheets on February 16, 1995. The Commission finds that the rates proposed by IDT America, as revised on February 16, 1995, with the following additional modifications should be approved as the fair, just, and reasonable rates to be charged:

1. Refer to Original Sheet 14, Section 2.5, Cancellation or Interruption of Services. Include language in compliance with 807 KAR 5:006, Section 14 regarding written notices. At least ten days written notice is required prior to termination except for non-payment, which requires five days written notice.

2. Refer to Original Sheet 19, Section 2.13, Late Charge. Include language to fully comply with 807 KAR 5:006, Section 8(3)(h).

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

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

2. IDT America's authority to provide service is strictly limited to those services described in this Order and IDT America's application.

3. IntraLATA services shall be provided in accordance with the restrictions and conditions of service contained in Administrative Case No. 323.<sup>1</sup>

4. The rates proposed by IDT America on December 21, 1994, as revised on February 16, 1995, with the additional modifications listed in the findings above are hereby approved.

5. Within 30 days from the date of this Order, IDT America shall file, pursuant to 807 KAR 5:011, its December 21, 1994 tariff sheets, as revised on February 16, 1995, with the additional modifications listed in the findings above and which conform to the restrictions and conditions of service contained herein.

Done at Frankfort, Kentucky, this 31st day of March, 1995.

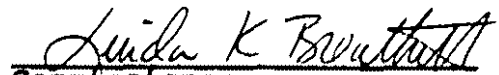
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

ATTEST:

  
Executive Director

  
Commissioner

<sup>1</sup> 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.