

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF UNITED WATS, INC.)
FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A RESELLER OF LONG DISTANCE SERVICES) CASE NO. 95-021
THROUGHOUT THE STATE OF KENTUCKY)

O R D E R

On January 27, 1995, United Wats, Inc. ("United Wats") 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. United Wats is a Kansas corporation with its principal offices in the state of Kansas and intends to resell tariffed services of facilities-based carriers certified by this Commission. United Wats does not request authority to provide operator-assisted telecommunications services.

United Wats 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 United Wats demonstrates its financial, managerial, and technical capability to provide utility service. The Commission finds that United Wats should be authorized to resell intrastate long-distance telecommunications services within the Commonwealth of Kentucky. United Wats filed

its proposed tariff on January 18, 1995. Upon review of the proposed tariff, the Commission finds that the rates proposed by United Wats, with the following modifications, should be approved as the fair, just, and reasonable rates to be charged. United Wats should file revised tariff sheets for the following items:

1. Refer to Original Sheet 15, Section 2.7.3, Deposits. Include language stating that interest will be accrued and refunded for customer deposits as prescribed by state law.

2. Refer to Original Sheet 17, Section 2.7.6(f), Payment and Billing.

a. Include language that meets the requirements of 807 KAR 5:006, Section 8(3)(h), regarding late payment penalties.

b. Include any charges involved with the discontinuation and reconnection of service.

3. Refer to Original Sheet 20, Section 3.1, Timing of Calls. Clarify the conflicting statements about when chargeable time ends.

4. Refer to Original Sheet 28, Section 4.5, Dedicated Outbound WATS Services. Include a description of this service in Section 3.8, Service Offerings.

5. Pursuant to 807 KAR 5:006, Section 6(3), include in the tariff the billing form, or its contents, to be used by United Wats.

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

1. United Wats be and it hereby is granted authority to resell intrastate long-distance telecommunications services within

the Commonwealth of Kentucky upon filing its tariff pursuant to Ordering Paragraph 5 of this Order.

2. United Wats' authority to provide service is strictly limited to those services described in this Order and United Wats' application.

3. IntraLATA services shall be provided in accordance with the restrictions and conditions of service contained in Administrative Case No. 323.¹

4. The rates proposed by United Wats on January 18, 1995, with the modifications discussed in the findings above, are hereby approved.

5. Within 30 days from the date of this Order, United Wats shall file, pursuant to 807 KAR 5:011, its January 18, 1995 tariff sheets with the modifications discussed in the findings above and which conform to the restrictions and conditions of service contained herein.

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.

Done at Frankfort, Kentucky, this 14th day of March, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director