

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF WESTERN UNION )  
COMMUNICATIONS, INC. FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY TO ) CASE NO. 95-100  
OPERATE AS A RESELLER OF INTEREXCHANGE )  
TELECOMMUNICATIONS SERVICES )

O R D E R

On April 5, 1995, Western Union Communications, Inc. ("Western Union") 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 June 2, 1995, Western Union filed its response to the Commission's May 3, 1995 Order requesting additional information. On July 20, 1995, Western Union amended its application to reflect a transfer of control which will result in its corporate parent changing from First Financial Management Corporation to First Data Corporation.

In its June 2, 1995 filing, Western Union admitted that, in violation of KRS 278.020(1) and 278.160(2), incidental intrastate debit card traffic occurred in Kentucky prior to obtaining certification from this Commission. Neither the customers' names nor the traffic volumes can be determined. On July 12, 1995, Western Union offered a voluntary payment of \$5,000 to the Kentucky State Treasury for the purpose of settling this matter. The

Commission finds that Western Union's offer is lawful and reasonable and should be accepted.

Western Union is a Delaware 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. Western Union does not request authority to provide operator-assisted telecommunications services.

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

Western Union filed its proposed tariff on March 15, 1995. The Commission finds that the rates proposed by Western Union should be approved as the fair, just, and reasonable rates to be charged.

In Administrative Case No. 306,<sup>1</sup> the Commission stated the importance of eliminating possible customer confusion arising from the name of the billing service, rather than the name of the

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<sup>1</sup> Administrative Case No. 306, Detariffing Billing and Collection Services, Order Dated April 30, 1990.

provider of telecommunications services, appearing on the bill. Accordingly, Western Union should ensure that its name appears prominently on all bills issued to customers for services rendered.

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

1. Western Union 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. Western Union shall ensure that its name appears prominently on all bills issued to customers for services rendered.

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

4. IntraLATA services shall be provided in accordance with the restrictions and conditions of service contained in Administrative Case No. 323.<sup>2</sup>

5. The rates proposed by Western Union on March 15, 1995 are hereby approved.

6. Within 30 days from the date of this Order, Western Union shall file, pursuant to 807 KAR 5:011, its March 15, 1995 tariff sheets without modifications.

7. The voluntary payment of \$5,000 offered by Western Union on July 12, 1995 is hereby accepted.

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<sup>2</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.

8. Western Union shall pay \$5,000 within 20 days of the date of this Order by certified or cashier's check made payable to "Treasurer, Commonwealth of Kentucky." This check shall be delivered to Office of General Counsel, Public Service Commission of Kentucky, 730 Schenkel Lane, P.O. Box 615, Frankfort, Kentucky, 40602.

Done at Frankfort, Kentucky, this 29th day of August, 1995.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director