

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ACTIVETEL L.D., INC.)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE) CASE NO. 95-153
AND NECESSITY TO PROVIDE RESOLD)
INTRASTATE TELECOMMUNICATIONS SERVICES)

O R D E R

On April 5, 1995, ActiveTel L.D., Inc., ("ActiveTel") 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 May 10, 1995, ActiveTel filed its response to the Commission's May 5, 1995 Order requesting additional information.

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

ActiveTel 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 ActiveTel demonstrates its financial, managerial, and technical capability to provide utility service. The Commission finds that ActiveTel should be authorized

to resell intrastate long-distance telecommunications services within the Commonwealth of Kentucky.

ActiveTel filed its proposed tariff on April 5, 1995. The Commission finds that the rates proposed by ActiveTel should be approved as the fair, just, and reasonable rates to be charged.

In Administrative Case No. 306¹ the Commission stated the importance of eliminating possible customer confusion arising from the name of the billing service, rather than the name of the provider of telecommunications services, appearing on the bill. Accordingly, ActiveTel 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. ActiveTel 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. ActiveTel shall ensure that its name appears prominently on all bills issued to customers for services rendered.

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

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

4. IntraLATA services shall be provided in accordance with the restrictions and conditions of service contained in Administrative Case No. 323.²

5. The rates proposed by ActiveTel on April 5, 1995 are hereby approved.

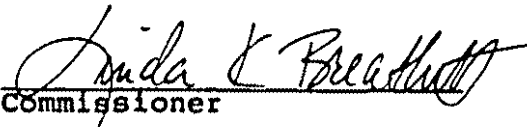
6. Within 30 days from the date of this Order, ActiveTel shall file, pursuant to 807 KAR 5:011, its April 5, 1995 tariff sheets without modifications and which conform to the restrictions and conditions of service contained herein.

Done at Frankfort, Kentucky, this 9th day of June, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

² 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.