

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AMERICONNECT, INC. )  
\_\_\_\_\_ )

INVESTIGATION INTO THE ALLEGED )  
VIOLATION OF KRS 278.020 AND KRS )  
278.160 )

CASE NO. 95-220

O R D E R

On February 15, 1995, AmeriConnect, Inc. ("AmeriConnect") filed with the Kentucky Public Service Commission ("Commission") an application for a Certificate of Public Convenience and Necessity to operate as a resale common carrier of telecommunications services within the Commonwealth.<sup>1</sup> On March 31, 1995, the Commission ordered AmeriConnect to submit additional information. AmeriConnect filed its response on April 19, 1995.

In the Commission's request for information, AmeriConnect was asked, inter alia, whether or not it or any of its affiliates had ever received compensation for providing intrastate telecommunications services to the public in Kentucky and, if so, to explain in detail. AmeriConnect responded that it had received compensation for providing intrastate telecommunications services in Kentucky. AmeriConnect's response is attached hereto as Appendix A.

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<sup>1</sup> Case No. 95-058, The Application of AmeriConnect, Inc. for a Certificate of Public Convenience and Necessity to Operate as a Resale Common Carrier of Telecommunications Services Within the State of Kentucky.

Accordingly, the Commission finds a prima facie showing has been made that AmeriConnect failed to file with the Commission its application for approval to operate and its schedule of rates and conditions of service prior to collecting compensation for the provision of utility service, in violation of KRS 278.020 and KRS 278.160. Therefore, AmeriConnect should immediately cease providing, or cease charging for, any and all interexchange telecommunications services within the Commonwealth of Kentucky.

IT IS THEREFORE ORDERED that:

1. AmeriConnect shall immediately cease and desist from providing or charging for any and all intrastate telecommunications services within the Commonwealth of Kentucky.


2. AmeriConnect shall appear at a hearing scheduled for July 11, 1995, at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, to present evidence on the alleged violation of KRS 278.020 and KRS 278.160, and to show cause why AmeriConnect should not be required to make refunds of compensation collected prior to obtaining a Certificate of Convenience and Necessity and filing its schedule of rates and conditions of service.

3. Any motion requesting any informal conference with Commission Staff to consider any matter which would aid in the

handling or disposition of this proceeding shall be filed with the Commission no later than 20 days from the date of this Order.

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

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director

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PUBLIC SERVICE COMMISSION

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF KENTUCKY

IN THE MATTER OF THE )  
APPLICATION OF AMERICONNECT, Inc., )  
For a Certificate of Public Convenience )  
and Necessity to Operate as a Resale Common )  
Carrier of Telecommunications )  
Services Within the State of )  
Kentucky )

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Case No. 95-058 GENERAL COUNSEL

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PUBLIC SERVICE COMMISSION

RESPONSE TO ORDER

1. Has AmeriConnect or any of its affiliates ever received compensation for providing intrastate telecommunications services to the public in Kentucky? If so, explain in detail.

AmeriConnect, Inc. ("AmeriConnect") was authorized by the Secretary of State to do business in the state of Kentucky in 1990 although the Company did no business in Kentucky at that time. As AmeriConnect's business grows, the Company continues to seek certification with the state regulatory agencies. In 1994, AmeriConnect began doing business with an agent who markets to the public in Kentucky and other states. Therefore, AmeriConnect is seeking a Certificate of Public Convenience and Necessity in Kentucky.

The following is the total billing (not including uncollectibles) in intrastate telecommunications services to the public in Kentucky:

1992 -	\$567 in intrastate business
1993 -	\$6,213 in intrastate business
1994 -	\$69,417 in intrastate business

2. Include in the proposed tariff a billing format pursuant to 807.KAR 5:006, Section 6(3).

AmeriConnect's billing format is included as Exhibit F and is also included in the proposed tariff P.S.C. Ky No. 12

3. Refer to P.S.C. Ky No. 8, heading C.2. of the proposed tariff. Include language that is in accordance with 807 KAR 5:006, Section 14.

See Proposed Tariff P.S.C. Ky No. 8

4. Refer to P.S.C. Ky No. 12, Heading C.10.02, of the proposed tariff. Remove the language which refers to charging a penalty on unpaid interest charges. Include in the proposed tariff, language that is in accordance with 807 KAR 5:006, Section 8(3)(h).

See Proposed Tariff P.S.C. Ky No. 12

5. Refer to P.S.C. Ky No. 13, Heading C.13.01, of the proposed tariff. Include in Line 3, language that will be in compliance with KRS Chapter 278.460 and 807.KAR 5:006, Section 7.

See Proposed Tariff P.S.C. Ky No. 13


6. Refer to P.S.C. Ky No. 15, Heading E.4, of the proposed tariff. These rates must not exceed AT&T's rates for comparable services.

Operator Assistance calls are billed by the Underlying Carriers and do not exceed AT&T's rates for comparable services.


Respectfully submitted this 18<sup>th</sup> day of April 1995.

AmeriConnect, Inc.

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