

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INQUIRY INTO THE FEASIBILITY OF SET USE)
FEE FOR TELECOMMUNICATIONS SERVICES IN) ADMINISTRATIVE
THE COMMONWEALTH OF KENTUCKY) CASE NO. 356

O R D E R

On March 8, 1996, Coin Phone Management Company ("Coin Phone Management") filed an amendment to its Set Use Fee Petition ("Amendment") to limit the ad damnum clause of the original petition to request authorization to implement a set use fee only for 0-/0+ revenue-producing calls from its pay phones in the territory of BellSouth Telecommunications, Inc. ("BellSouth"). On April 5, 1996, Coin Phone Management filed a document entitled "Two Motions," explaining that the request in the Amendment refers only to those local and intraLATA calls made from Coin Phone Management pay phones in BellSouth territory that are carried and billed by BellSouth. Coin Phone Management states that BellSouth's tariff provides it will bill and collect the set use fees for other companies with public pay telephones in its territory.

Coin Phone Management's Amendment, as clarified, significantly limits the authority originally sought in this proceeding. Coin Phone Management should not be required to support statewide authority for all payphone providers in which it seems to have no further interest. Consequently, Coin Phone Management's motion to amend its petition should be granted. However, although no

prefiled testimony was submitted by any other party to this proceeding, each party should be allowed the opportunity to address the broader issues originally raised. Accordingly, if any party wishes to address these issues and to present evidence to support them, it should so notify the Commission within 10 days of the date of this Order. Otherwise, the scope of the hearing to be held in this matter shall be limited to the issues raised in Coin Phone Management's Amendment of March 8, 1996, as clarified on April 5, 1996.

Coin Phone Management next asks for an extension of time to file testimony regarding its amended request. The Commission finds that the request is reasonable and that it should be granted.

IT IS THEREFORE ORDERED that:

1. Any party wishing to appear at the hearing and to present evidence to support authority to implement statewide set use fees as requested in Coin Phone Management's original petition shall so notify the Commission within 10 days of the date of this Order.

2. If no party states that it is prepared to present evidence to support statewide set use fees as originally requested by Coin Phone Management, the scope of the hearing to be held in this matter shall be limited to those issues raised in Coin Phone Management's Amendment of March 8, 1996, and clarified on April 5, 1996.

3. Coin Phone Management may prefile testimony in this matter no later than April 10, 1996.

Done at Frankfort, Kentucky, this 9th day of April, 1996.

PUBLIC SERVICE COMMISSION

Lydia K Breathitt
Chairman

E. J. [Signature]
Vice Chairman

Robert M. Davis
Commissioner

ATTEST:

Don Mills
Executive Director