

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ESTABLISHMENT OF AN OPERATOR	)	
SURCHARGE RATE FOR COLLECT	)	ADMINISTRATIVE
TELEPHONE CALLS FROM	)	CASE NO. 378
CONFINEMENT FACILITIES	)	

O R D E R

The Commission has ordered that utilities providing inmate calling service shall charge no more than a \$1.50 surcharge per call, \$0.28 for an interLATA minute, and \$0.23 for an intraLATA minute. The maximum charges for a local call shall not exceed a \$1.50 surcharge and the local coin rate. BellSouth Telecommunications, Inc. (“BellSouth”) filed a motion for deviation from these rates for certain calls it handles that originate from confinement facilities when the inmate service provider’s equipment has failed to operate properly or is busy. The total amount of this overflow traffic is less than 100 calls per month. BellSouth has requested that it be allowed to charge its public rates of a \$2.25 surcharge and \$0.249 rate per minute.

In support of its request, BellSouth argues that the rates charged do not substantially exceed the Commission’s rates established for inmate services. The calls are incidental in nature, and BellSouth does not contract with the confinement facilities as the primary provider of calls. Moreover, BellSouth asserts that the cost of compliance substantially outweighs any potential harm.

The requested deviation of BellSouth should be granted because of the factors cited by BellSouth. However, if the volume of this incidental traffic increases

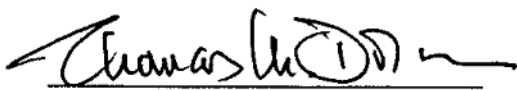
significantly or if there is an increase in consumer complaints regarding this matter, then the Commission may reconsider its decision.

BE IT SO ORDERED.

Done at Frankfort, Kentucky, this 2<sup>nd</sup> day of October, 2000.

By the Commission

ATTEST:

A handwritten signature in black ink, appearing to read "Thomas H. [unclear]", written over a horizontal line.

Executive Director