

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|-----------------------------|---|-----------------|
| NOVARA C. WALTON |) | |
| |) | |
| COMPLAINANT |) | |
| |) | |
| v. |) | CASE NO. 99-357 |
| |) | |
| EZ-TEL COMMUNICATIONS CORP. |) | |
| |) | |
| DEFENDANT |) | |

O R D E R

On September 3, 1999, the Commission ordered Ez-Tel Communications Corp. ("Ez-Tel Communications") to satisfy or answer the complaint of Novara Walton, which alleges that service was paid for but not rendered. Walton requests refund of the money paid to Ez-Tel for which no service was rendered. The Commission's records show that Ez-Tel Communications' owner is Akiva T. Hunter.

The Order was served to a Jacksonville, Florida address which appeared on the customer's bill. Service of the Order was not completed. It was returned to the Commission with an unknown address. After additional investigation, the Commission believed that the Defendant was located at an Akron, Ohio address and again served the Order. In response to this service the Commission received a letter from EZ-Phone stating that the Order was served on EZ-Phone and not Ez-Tel Communications. EZ-Phone of Akron, Ohio requested that the Commission update its records. Presumably the mailing list from which EZ-Phone would like to be removed is that of this formal

complaint. However, before this can occur EZ-Phone must verify that it has never provided service to the plaintiff, Novara C. Walton, that it has never been owned by, or operated by, Akiva T. Hunter, and that it has never had an employee by the name of Akiva T. Hunter.

Utilities are obligated to provide the Commission with their address pursuant to 807 KAR 5:003. Attached hereto are copies of termination notices sent to Ez-Tel Communications from Cincinnati Bell Telephone Company and GTE Service Corporation. These letters are further indication that Ez-Tel Communications has failed to comply with Commission regulations.

The Commission, having reviewed the complaint, and responses thereto, and having been otherwise sufficiently advised, HEREBY ORDERS that:

1. Within 20 days of the date of this Order, EZ-Phone of Akron, Ohio shall respond to the request for information stated herein.
2. Ez-Tel Communications, at the last known addresses in Jacksonville, Florida, shall notify the Commission of its current address and owners or be subject to revocation of its authority to operate in Kentucky.
3. Unless Ez-Tel Communications responds to this Order within 20 days of the date of this Order, its authority to operate within Kentucky shall be revoked without issuance of further Order.
4. Novara C. Walton shall notify the Commission within 10 days of the date of this Order whether her complaint has been satisfied and whether she has had any contact with Ez-Tel since filing the complaint.

Done at Frankfort, Kentucky, this 15th day of June, 2000.

By the Commission

ATTEST:


Executive Director