

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

COLEMAN ENTERPRISES, INC. D/B/A	)	
LOCAL LONG DISTANCE	)	
_____	)	CASE NO.
	)	2000-219
	)	
ALLEGED VIOLATION(S) OF KRS 278.535	)	

O R D E R

Coleman Enterprises, Inc. ("Coleman") is a communications provider as defined in KRS 278.535(1)(a) subject to the Commission's jurisdiction. It provides services in the Commonwealth of Kentucky as Local Long Distance, Inc.

KRS 278.535(1)(a) provides statutory procedures for the proper changing of any Kentucky customer's primary telecommunications carrier.

COUNT I

On or about February 23, 2000, April Hyams, 780 Enterprise Drive, Lexington, Kentucky 40510, on behalf of Bluegrass Fire Equipment Company, reported to Commission Staff by telephone that Bluegrass Fire Equipment's long-distance carrier had been changed from MCI to Coleman without its authority or permission. Bluegrass Fire Equipment's telephone number is 859-233-0807.

After investigation, Commission Staff has been unable to obtain or secure any written authorization or electronically recorded authorization of Bluegrass Fire Equipment by which it properly authorized the carrier change.

#### COUNT II

On or about October 7, 1999, Mary Ann Brown, on behalf of Buzick Construction, P. O. Box 98, Bardstown, Kentucky 40004, reported to Commission Staff by telephone that Buzick Construction's long-distance carrier had been changed from CBTLTD to Coleman without its authority or permission. Buzick Construction's telephone number is 502-348-6401.

After investigation, Commission Staff has been unable to obtain or secure any written authorization or electronically recorded authorization of Buzick Construction by which it properly authorized the carrier change.

#### COUNT III

On or about July 27, 1999, Jim Fyock, on behalf of Commonwealth Engine, 11421 Electron Drive, Louisville, Kentucky 40299, reported to Commission Staff by telephone that Commonwealth Engine's long-distance carrier had been changed from Eclipse Communications to Coleman without its authority or permission. Commonwealth Engine's telephone number is 502-263-7883.

After investigation, Commission Staff has been unable to obtain or secure any written authorization or electronically recorded authorization of Commonwealth Engine by which it properly authorized the carrier change.

#### COUNT IV

On or about January 12, 1999, Atossa F. Kramer, 104 Forest Street, Berea, Kentucky 40403, reported to Commission Staff by telephone that her long-distance carrier had been changed from Working Assets Long Distance to Coleman without her authority or permission. Ms. Kramer's telephone number is 606-986-9295.

After investigation, Commission Staff has been unable to obtain or secure any written authorization or electronically recorded authorization of Ms. Kramer by which she properly authorized the carrier change.

#### CONCLUSION

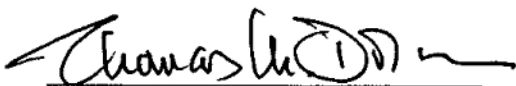
Based on the foregoing allegations and on the results of the investigations by the Commission Staff, the Commission, on its own motion, HEREBY ORDERS that:

1. Within 30 days of the date of receipt of this Order, Coleman shall submit to the Commission a response to the allegations stated above.
2. Coleman shall appear on November 8, 2000 at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky for the purpose of showing cause why it should not be subject to penalties, pursuant to KRS 278.990(1) and KRS 278.535(6), for the alleged violations of law described herein.
3. Any request for an informal conference with the Commission Staff to consider any matter which would expedite the handling or disposition of this proceeding shall be filed with the Commission no later than 30 days from the date of receipt of this Order.

Done at Frankfort, Kentucky, this 28<sup>th</sup> day of August, 2000.

By the Commission

ATTEST:

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

Executive Director