

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INMARK, INC. d/b/a PREFERRED BILLING)	
)	
_____)	CASE NO. 2000-243
)	
ALLEGED VIOLATION(S) OF KRS 278.535)	

O R D E R

Inmark, Inc. d/b/a Preferred Billing (“Preferred Billing”) is a communications provider as defined in KRS 278.535(1)(a), is authorized to do business in Kentucky, and is subject to the Commission’s jurisdiction. Preferred Billing is a foreign corporation (identification number 0424531) authorized by the Office of the Secretary of State of the Commonwealth of Kentucky to do business in Kentucky as of November 22, 1996. The records maintained by the Office of Secretary of State show that the principal place of business for Preferred Billing is 2233 University Avenue, Suite 440, St. Paul, Minnesota 55114 and show that the registered agent is C.T. Corporation System, Kentucky Home Life Building, Louisville, Kentucky 40202.

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

1. On or about April 11, 2000, Richard Babuka reported to Commission Staff by telephone that his long-distance carrier had been changed from Qwest to Preferred

Billing without his authority or permission. Mr. Babuka's telephone number is 606-623-9273.

2. After investigation, Commission Staff has been unable to obtain or secure any written authorization or electronically recorded authorization of Mr. Babuka properly authorizing the carrier change.

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

1. Preferred Billing shall submit to the Commission within 30 days of the date of receipt of this Order a response to the allegations stated above.

2. Preferred Billing shall appear on October 11, 2000 at 9:00 a.m., Eastern Daylight 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 16th day of August, 2000.

By the Commission

ATTEST:


Executive Director