

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INMARK, INC. D/B/A PREFERRED BILLING)	
_____)	CASE NO. 2000-243
)	CASE NO. 2000-282
ALLEGED VIOLATION OF KRS 278.535)	

O R D E R

On August 16, 2000, the Commission issued an Order (Case No. 2000-243) directing Inmark, Inc. d/b/a Preferred Billing (“Inmark”) to show cause why it should not be subject to penalties, pursuant to KRS 278.990(1) and KRS 278.535(6), for alleged violations of KRS 278.535. Further, on August 22, 2000, the Commission issued an Order (Case No. 2000-282) directing Inmark to show cause why it should not be subject to penalties, pursuant to KRS 278.990(1) and KRS 278.535(6), for alleged violations of KRS 278.535. Because these separate cases are against the same utility, the Commission HEREBY ORDERS that the cases are consolidated.

On August 10, 2000, the Commission entered an Order in Case No. 2000-383¹ regarding the failure of non-dominant telecommunications providers, who filed tariffs to provide service in the Commonwealth, to pay assessments pursuant to KRS 278.130-150 or file reports of gross revenues. Inmark was among the utilities identified in that Order. Under the terms of that Order, each identified utility was

¹ Investigation of the Failure of Certain Non-Dominant Telecommunications Providers to File Reports of Gross Operating Revenues or to Pay Assessments Pursuant to KRS 278.140 (Order dated August 10, 2000).

allowed 30 days in which to respond and show cause why it should not be subject to penalties under KRS 278.990. Any carrier not responding was summarily stricken from the Commission's list of active utilities and its authority to operate in the Commonwealth was rescinded. As Inmark did not respond to that Order, it therefore can no longer operate lawfully in the Commonwealth.

Because Inmark is not authorized to operate in the Commonwealth, there is no reason to pursue these cases. Accordingly, IT IS HEREBY ORDERED that:

1. These cases are dismissed without prejudice and are subject to reinstatement.
2. As provided in Case No. 2000-383, Inmark shall notify its Kentucky customers, if any, that it will no longer provide service.

Done at Frankfort, Kentucky, this 12th day of December, 2000.

By the Commission

ATTEST:


Executive Director