

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LOTTEL, INC. d/b/a COMBINED BILLING )  
\_\_\_\_\_) ) CASE NO. 2000-273  
ALLEGED VIOLATION(S) OF KRS 278.535 )

O R D E R

Lotel, Inc. d/b/a Combined Billing ("Lotel") 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. Lotel is a foreign corporation (identification number 0489371) authorized by the Office of the Secretary of State of the Commonwealth of Kentucky to do business in Kentucky as of February 14, 2000. The records maintained by the Office of the Secretary of State show that the principal place of business for Lotel, Inc. d/b/a Combined Billing is 8120 Penn Avenue South, Suite 159, Bloomington, Minnesota 55431 and show that the registered agent is CT 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 March 24, 2000, Dan Carmichael, Better Back Store, 12123 Shelbyville Road, Louisville, Kentucky 40243, reported to Commission Staff by telephone that their long-distance carrier had been changed from MCI to Lotel without their authority or permission. Better Back Store's telephone number is 502-253-9031.

2. After investigation, Commission Staff has been unable to obtain or secure any written authorization or electronically recorded authorization of Better Back Store 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. Lotel shall submit to the Commission within 30 days of the date of receipt of this Order a response to the allegations stated above.

2. Lotel shall appear on October 18, 2000 at 10:30 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 22<sup>nd</sup> day of August, 2000.

By the Commission

ATTEST:

  
Executive Director