

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AMERICA'S TELE-NETWORK CORPORATION)	
)	
_____)	CASE NO. 2000-298
)	
ALLEGED VIOLATION OF KRS 278.535)	

O R D E R

America's Tele-Network Corporation ("America's Tele-Network") 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. America's Tele-Network is a foreign corporation (identification number 0416487) authorized by the Office of the Secretary of State of the Commonwealth of Kentucky to do business in Kentucky as of May 22, 1995. The records maintained by the Office of Secretary of State show that the principal place of business for America's Tele-Network is 720 Hembree Place, Alphretta, Georgia 30076 and show that the registered agent is CSC Corporation Service Co., 421 West Main Street, Frankfort, Kentucky 40601.

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

On or about March 6, 2000, Bernadean Markland, daughter of R.D. Fitzpatrick, reported to Commission Staff by telephone that Mr. Fitzpatrick's long-distance carrier had been activated to America's Tele-Network without his authority or permission. Ms. Markland had cancelled Mr. Fitzpatrick's long-distance service prior to America's Tele-network charges appearing on his bill. Mr. Fitzpatrick's telephone number is 606/498-2364.

After investigation, Commission Staff has been unable to obtain or secure any written authorization or electronically recorded authorization by which either Mr. Fitzpatrick or Ms. Markland properly authorized the carrier change.

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, America's Tele-Network shall submit to the Commission a response to the allegation stated above.
2. America's Tele-Network shall appear on September 14, 2000 at 1:00 p.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 violation 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 22nd day of June, 2000.

By the Commission

ATTEST:


Executive Director