

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AMERICA'S TELE-NETWORK CORPORATION	)	
_____	)	CASE NO. 2000-421
ALLEGED VIOLATIONS OF KRS 278.535	)	
	)	

O R D E R

America's Tele-Network Corporation ("America's Tele-Network" or "ATN") 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, Alpharetta, 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.

Two hundred eighty-five Kentucky consumers, whose names and telephone numbers are listed herein, have reported to Commission Staff that their presubscribed long-distance carriers have been changed to America's Tele-Network without their authority or permission.

After investigation, Commission Staff has been unable to obtain or secure any written authorization or electronically recorded authorization of the following complainants by which they properly authorized the carrier change:

Adams, Angela & Brad	502-868-9323
Adams, Connie	502-348-3658
Adkins, Donald	606-474-5272
Aldridge, Chester	502-845-7149
Alexander, Ben	606-564-6074
Allgeier, John	502-845-2311
Alvey, Kathi	502-348-2684
Anderson, Fred	606-498-8118
Applegate, Blanche	606-564-3658
Baker, Kimberly	606-498-8942
Barker, Charlotte	606-784-8184
Barringer, Robert	606-789-6356
Bartley, Willy	606-437-6380
Barton, Harold	606-527-3812
Barton, James	606-348-7487
Blaylock, Edie	502-367-7180
Bolin, E.J.	606-277-6538
Bolin, Herman	606-233-3242
Bondurant, J.A.	859-266-2420
Bowker, Donald P.	606-528-8788
Bowlds, Danna	606-272-9868
Braoddus, Jim	502-635-8550
Brewer, Bill	606-293-1241
Brooks, Brenda	606-248-7418
Brown, Brandie	606-663-8009
Brown, Frederick A.	606-734-3442
Brown, Janice	606-198-1701
Brown, Mary Beth	606-987-0822
Brown, William	606-353-9911
Browning, Keith	859-234-1933
Bryant, Chester	606-639-6730
Bryant, Deb	606-928-0977
Bryant, H.L.	606-549-3938
Buchanan, Ruth	606-848-2832
Buckman, Lawrence	502-231-2961
Bugg, Mark	606-734-0555
Burgher, Angela	606-254-6919
Burgin, Bill	606-734-9080
Burkhead, Roy	502-252-5561
Burnett, Betty	606-528-9401

Byrd, Rebekah	606-272-3644
Camenisch, William	606-745-4968
Campbell, Darnell	606-889-9811
Campbell, David	606-623-9654
Campbell, Debbie	606-679-7594
Canafax, Everett	606-267-3291
Carpenter, Ralph	606-666-8367
Carroll, M.D.	606-254-7886
Case, Phillip	606-353-4139
Casto, Harry K.	606-848-1508
Caswell, Marilyn	606-987-3863
Catt, Ann	606-223-9654
Caudill, Grace	606-633-4696
Chadwell, Beth	606-737-1624
Chamberlain, Hanna	606-987-8220
Chance, Joseph	606-236-6944
Chandler, Mrs. Jack	606-589-2249
Charles, Deloris	606-663-0325
Charles, Marsha	859-223-0176
Chestnut, Kenneth	606-679-4254
Cihiwsky, Ellen	606-273-7529
Cissell, Edwin	502-349-0017
Clark, Bill & Nancy	859-272-5278
Clark, Jim	502-348-6554
Clark, Louanne & Mark	502-839-4726
Clark, Nancy	606-272-5278
Clark, Ross	606-623-1675
Clenney, Bobbi	502-231-0407
Cochran, Gile	606-854-3125
Cochran, Lisa	502-227-7425
Cochran, Raymond	606-435-1003
Cokrell, Tommy	606-498-5857
Collins, Doug	606-473-7593
Collins, Millie	502-935-0716
Collins, Steven	606-498-7445
Combs, David	606-734-0228
Combs, Manley	606-744-1888
Cook, Cindy	606-263-7284
Coyle, Sylvia	606-734-3837
Craft, Dean & Alice	606-633-5118
Crawford, Chuck	606-633-3036
Crigger, Marlene	606-789-8140
Cummins, E.C.	606-272-4249
Cummins, Lisa	606-263-0432
Curry, David	606-245-8307
Curry, Wayne	606-678-3034

Curtis, Dorothy	606-663-4879
Dailey, Pamela	606-737-9275
Damron, Ms. Mickey	606-437-7646
Darnell, David	606-289-2110
Davidson, Mrs. John	606-864-8415
Davis, Nelda	606-885-2851
Davis, Ronnie	606-498-6880
Davis, Velma	606-234-6479
Davis, William M.	606-723-3982
Dean, Argo H.	606-734-3225
Dearinger, Linda	606-564-3094
Deja, Dolores C.	606-744-7771
Denniston, Harold	606-255-8389
Dienno, Thomas	606-271-6848
Disney, Sean	606-526-9118
Dixon, Doris	606-633-8903
Dotson, Delbert	606-456-4748
Doutrick, Dennis	502-348-3576
Dulaney, Phillip	502-231-3235
Dunbar, Hank	606-269-6348
Duncan, Oliver & Ann	606-678-0777
Dunn, Mary	270-247-7062
Dunn, Thomas	606-234-9503
Durand, Nancy	606-626-3824
Easter, Elizabeth	606-369-5809
Eaton, Donald	606-561-4532
Eaton, Michael	606-274-4407
Eliopoulos, Christopher	606-263-2646
Ellis, Larry	606-498-5872
Ely, Audy	606-745-4246
Elzy, Darlene	502-968-3593
Embry, Althea	606-254-8302
Ernst, Joanne	606-780-0537
Estep, Jerry Allen	606-639-9421
Farmer, Britton	606-664-2189
Faulkner, Cathline	502-348-8089
Fields, Donna	606-633-4719
Florer, Marie H.	606-724-5385
Foster, Johnny	606-573-6437
Freebersyser, Keni	606-273-6054
Gabbard, Mrs. Luci	606-498-9074
Garnett, Michelle	502-254-0926
Geiger, Beulah	502-254-3926
Germann, Gloria	606-564-3482
Gibson, Robert C.	606-375-4324
Gillum, Robert	606-739-4600

Gillum, Tommy	606-263-1902
Gravitt, Sara	502-227-4863
Grossman, Barbara	859-254-2970
Guffey, Mary Eva	606-348-6242
Hall, Matthew	606-236-5438
Hall, Mrs. David	502-348-6974
Halsey, Marlene	606-272-5574
Hamilton, George	606-836-9876
Hamilton, Mallie	606-436-6891
Hankins, Cheryl	502-241-5215
Heaton, Perry	502-239-0895
Hensley, David	606-546-8941
Hicks, John	502-348-5306
Hockinsmith, Clarence	502-223-1113
Hopper, Lillian	606-248-6431
Horton, Glen	606-474-5931
Housley, Kim	606-573-3787
Huffman, Steve	606-432-5460
Hunt, Don	606-677-2596
Huntzinger, Barbara	606-624-2016
Hurt, Gary	606-626-9314
Iglehart, Gina	859-873-3452
Isaacs, Lloyd	606-236-8828
Ison, Larry	606-748-9690
Jackson, Russell	859-734-7301
Jarman, Susan	606-864-5433
John, Linda	606-329-8456
Johnson, Arthur	606-498-6505
Johnson, Betty	606-987-5442
Johnson, Charlie	859-293-5928
Johnson, Dwayne	606-273-1380
Johnson, Jack	606-365-9076
Johnson, Julianne	502-368-0024
Jones, Arlene	606-735-2993
Jones, Joyce	606-878-9777
Jones, Kenneth	606-723-3507
Jones, Osby	859-734-3337
Jones, Thelma	606-234-5064
Joseph, Charles	606-633-9335
Justice, Dwight	606-754-5809
Justice, Jennifer	606-638-0995
Justice, Roger	606-473-7238
Kappes, Keith	606-784-9894
Kazee, Elmer	606-836-4016
Keeling, Curtis	859-748-5758
Kemerer, James	606-748-5477

Kenney, James	606-864-8962
King, Milton	606-623-8446
Kinser, David	606-379-2615
Knight, David	606-748-9750
Koeppe, James	502-864-1021
Krahulek, Robert	606-272-4008
Kuta, Ernest	859-234-0766
Lamason, George	606-272-8168
Larson, James	606-623-6835
Lawhorn, Jeff	859-236-3135
Lawlor, John	502-964-4421
Lawson, Joe	606-928-4653
Lawson, Ken	606-271-8071
Lawson, Mary	606-549-3315
Ledford, Michael	606-663-5864
Lee, Dorothy	606-885-9295
Leedy, Larry	606-638-4959
Lefford, Eddie	606-864-7059
Leonard, Mary	606-272-3078
Lequire, Anita	606-353-9985
Lewis, Anna	606-748-9514
Lewis, Christine	606-375-2865
Lewis, Elmo	606-497-0055
Litchford, Charles	606-474-0839
Livingood, Diane	606-289-4055
Logan, William	606-255-2791
Loiselle, Roger	859-299-3654
Long, Kenneth	606-366-5666
Long, Mrs. Dan	859-369-5447
Luttrell, Alice	606-293-1410
Lyons, Paul	606-674-6514
Lyttle, Clara	606-254-1664
Maeder, Robert	606-272-5838
Maggard, L.D.	606-561-6133
Maggard, Randy	606-878-7736
Mallek, Joe	606-273-8182
Mallory, Wesley	606-724-5245
Manley, Jonda	606-329-9572
Mann, Rodney	859-734-3823
Markwell, Ben	606-873-8165
Martin, Alvin	606-986-3198
Martin, Fant	606-548-4100
Martin, Marsha	606-473-5683
Martin, Rose	606-886-6659
Martin, Teddy	606-498-1750
Mason, John	606-277-9653

Mattox, Travis	606-967-9928
McClellan, Art	606-858-8178
McCord, John	859-276-1501
McCoy, James	606-237-1236
McDowell, Ralph	606-329-9524
McFadden, Dan	606-864-2032
McFadden, Debbie	606-268-2020
McFadden, Howard	606-789-8571
McGuire, Carl	606-498-4062
McGuire, Harold	606-836-5703
McGuire, Paul	859-299-4561
McKnight, Gary	606-878-5837
McNally, Daniel	606-272-1060
Meade, Newton	606-437-6020
Metcalfe, Betty Jo	606-987-1318
Metry, H.M.	859-233-7871
Metzger, Edward	606-528-5781
Miles, James	502-348-0028
Mills, Marilyn	606-236-4471
Murrell, Bianca	270-640-4719
Napier, Helen	606-271-9808
Nelson, Peral	606-474-9562
Nikkelsen, Evelyn	606-784-1638
Noel, A.D.	502-252-5038
O'nan, Jean	606-278-3432
Parsons, Pamela	606-225-1803
Peyton, Connie	606-561-6240
Pyles, Steve	606-498-7151
Rasnick, John	606-432-4910
Reid, Deane	606-377-1716
Rice, Troy	606-523-5199
Rison, Tamara	606-723-4756
Roberts, Willa Jo	606-758-8521
Robinette, Everett	606-739-5004
Robinson, Lavern	270-442-8595
Rzeplinski, Sue	606-239-9205
Satterly, Donald	502-348-2366
Scheffield, Wayne	502-226-1912
Searles, Mark	606-873-0284
Sector, Inc.	502-245-7246
Shelton, Everett	606-387-1317
Smith, Bertha	423-586-7228
Smith, Debora	606-248-9216
Stewart Sales Assn.	606-278-2694
Storms, Vanna	606-523-8355
Stull, Elizabeth	606-365-1816

Thompson, Ruth	606-564-4960
Totty, William	606-233-3893
Travillian, Gary	606-878-9114
Turner, Barbara	606-236-0384
Underhill, Ellen	606-623-0741
Wayman, Leslie	606-273-1597
Webb, Sandra	606-271-0827
West, Shirley	606-299-2371
Wheeler, Charles	502-348-5014
Woodmen of the World	606-763-6466
Woodward, Patti	606-225-8860
Young, Kristin	606-273-2263

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

1. Within 30 days of the date of this Order, America's Tele-Network shall submit to the Commission a response to the allegations stated above. The response shall be accompanied by the following:

a. A copy (front and back) of all cancelled checks issued to the subscribers.

b. A notarized statement from the local exchange carrier ("LEC") of each customer's name, address, phone number, amount of ATN charges accrued to date, and the total amount of the adjustment to each bill after removal of ATN charges or a notarized statement from the LEC stating the customer's name, address, phone number, and the total amount paid by the LEC to ATN.

c. All documentation supporting any claim by ATN that the carrier change was authorized by the customer including, but not limited to, letters of authority or electronically recorded third-party verification. If ATN is unable to supply such documentation, it shall supply a notarized statement of the individual or individuals



responsible for obtaining such documentation explaining why such documentation is unavailable.

d. An alphabetized list of all people in Kentucky contacted by ATN for the purposes of soliciting long-distance service and the sources from which they obtained the names of those persons.

e. A list of all telemarketers representing ATN whose sales of long-distance service have been challenged by Kentucky residents as stated in this Order.

f. All evidence, documents, and a list of witnesses that ATN plans to call and/or introduce at hearing, together with a brief description of the issues regarding which each witness will testify.


2. America's Tele-Network shall appear on November 21, 2000 at 9:00 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 25<sup>th</sup> day of September, 2000.

By the Commission

ATTEST:

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

Executive Director