

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THE FAILURE)
OF CERTAIN NON-DOMINANT)
TELECOMMUNICATIONS PROVIDERS)
TO COMPLY WITH COMMISSION) CASE NO. 2002-00084
ORDERS ISSUED IN)
ADMINISTRATIVE CASE NO. 360)

ORDER

On March 22, 2002, the Commission ordered DV2, Inc. (DV2) and Chapel Services, Inc. (Chapel Services) to show cause why they should not be subject to penalties pursuant to KRS 278.990 for failure to comply with Commission Orders in Administrative Case No. 360.¹ In that case, the Commission ordered the companies to collect a surcharge to fund Expanded Lifeline Support and to file reports regarding such collections.

Both companies assert that they are exempt from filing reports related to Expanded Lifeline Support because they do not currently provide local exchange service to Kentucky customers. However, the Commission notes that both companies offer local exchange service in their tariffs and could begin providing such service at any time. The fact that these companies are not currently providing local exchange service does not exempt the companies from filing reports. The companies have an obligation

¹ Administrative Case No. 360, An Inquiry Into Universal Service and Funding Issues.

to file reports with the Commission even if they served no customers during a particular filing period.

The Commission, having determined that these companies are not exempt from the filing requirements of its Order dated March 22, 2002, and being otherwise sufficiently advised, HEREBY ORDERS that:

1. Within 30 days of the date of this Order, DV2 and Chapel Services shall begin filing monthly reports regarding any collection of surcharges to fund Expanded Lifeline Support, or lack thereof.

2. Failure to timely file these reports will subject DV2 and Chapel Services to penalties pursuant to KRS 278.990.

Done at Frankfort, Kentucky, this 19th day of August, 2002.

By the Commission

ATTEST:


Executive Director