

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CINCINNATI BELL TELEPHONE COMPANY S)	
PROPOSED OFFERING FOR AN)	CASE NO.
EDUCATIONAL RATE FOR ASYMMETRICAL)	2002-00388
DIGITAL SUBSCRIBER LINE TURBOSPEED)	
SERVICE)	

O R D E R

On September 30, 2002, Cincinnati Bell Telephone Company (Cincinnati Bell) filed a proposed tariff with the Commission wherein it seeks to offer asymmetrical digital subscriber line (ADSL) at a reduced rate to students, faculty and staff associated with higher educational institutions that subscribe to this service offering. This higher educational offering was to be effective for service rendered on and after October 30, 2002.

The Commission finds that, pursuant to KRS 278.190, further proceedings are necessary in order to determine the reasonableness of the proposed offering and that such proceedings cannot be completed prior to the proposed effective date. The Commission herein requires Cincinnati Bell to file a memorandum arguing its legal positions regarding the applicability of KRS 278.170(1) (no utility shall, as to rates or service, give any unreasonable preference or advantage to any person. . . for doing a like and contemporaneous service under the same or substantially the same conditions.) Cincinnati Bell s legal memorandum shall also explain whether KRS 278.512 is applicable to the issue.

IT IS THEREFORE ORDERED that:

1. The proposed offering of Cincinnati Bell is hereby suspended for five months from October 30, 2002 up to and including March 29, 2003.

2. The legal memorandum required herein shall be filed within 40 days of the date of this Order.

3. Nothing contained herein shall prevent the Commission from entering a final decision in this case prior to the termination of this suspension.

Done at Frankfort, Kentucky, this 29th day of October, 2002.

By the Commission

ATTEST:

Deputy Wm H. Fowler
Executive Director