

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DAWSON COX, JR.)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2003-00225
)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
)	
DEFENDANT)	

O R D E R

On June 12, 2003, Dawson Cox, Jr. filed a formal complaint with the Commission against BellSouth Telecommunications, Inc. (BellSouth) asserting that his calls to Frankfort are long-distance, that similar calls made by his neighbors are local calls, and that his 911 calls go to Georgetown rather than to Frankfort or Franklin County directly.¹ Mr. Cox requests that he be treated like his neighbors in that his calls to Frankfort should be local calls, and his 911 calls should go directly to Frankfort.

On June 30, 2003, BellSouth filed its answer. BellSouth first claims that Mr. Cox has failed to state a claim upon which relief may be based. Second, BellSouth claims that it is providing service to Mr. Cox in a non-discriminatory manner. Finally, BellSouth asserts that Mr. Cox is being properly charged for his calls due to his location in the Stamping

¹ There are currently 96 other customers residing in Franklin County whose calls are routed to the Stamping Ground Exchange. BellSouth s Response to Commission Staff s Data Request (Response) Item 1, page1.

Ground Exchange, which is in the Winchester Local Access and Transport Area (LATA) boundary. BellSouth requests that the complaint be dismissed.

FACTS

Mr. Cox resides in Franklin County, near the Scott County line, at 2742 Sulphur Lick Road. The portion of Sulphur Lick Road upon which Mr. Cox resides is located within the Stamping Ground Local Exchange; the remainder of Sulphur Lick Road is located within the Frankfort Local Exchange. Because of Mr. Cox s location within the Stamping Ground Local Exchange, he incurs long-distance charges when he calls the Frankfort Exchange.

In his complaint, Mr. Cox refers to his neighbor who, while located within the Stamping Ground Local Exchange boundary, is able to make calls to the Frankfort Local Exchange without incurring long-distance charges.² BellSouth admits that his neighbor, Connie Bryant, has been able to make local calls to the Frankfort Local Exchange. BellSouth, however, discovered that Ms. Bryant had been incorrectly assigned a Frankfort Local Exchange number. BellSouth has corrected this error and now Ms. Bryant s calls are routed as Mr. Cox s calls are.

It is clear that Mr. Cox lives within the Stamping Ground Local Exchange and, thus, any calls outside of that Exchange are considered long-distance, including calls to Frankfort. BellSouth, moreover, has corrected its oversight by switching Ms. Bryant to a number for the Stamping Ground Local Exchange. With this correction, Mr. Cox will be treated the same as his similarly situated neighbor. No discrimination occurs.

² Currently there are six addresses on Sulphur Lick Road that should be served from the Stamping Ground Local Exchange but are receiving service from the Frankfort Local Exchange. BellSouth claims these are grandfathered and will reroute these lines through Stamping Ground when service is disconnected. Response, Item 1, page 1.

BellSouth states that the management of the 911 System is the responsibility of the county. BellSouth also states that it has learned from the Franklin County E911 Coordinator that when Franklin County customers served by the Stamping Ground Local Exchange dial 911, the call is received in the Scott County/Georgetown Public Service Answer Point (PSAP). The Scott County PSAP then takes pertinent information from the caller and contacts the Franklin County/Frankfort PSAP who then dispatches any run. BellSouth has proposed a solution for the Franklin County subscribers living in the Stamping Ground Local Exchange that would require installation of two additional trunks into the E911 Controller currently in use at the Dispatch Center in Franklin County. Should Franklin County choose to implement this solution, only the direction of the routing of the 911 calls would change.³ The subscriber s telephone number would not be changed. The effect of this switch would be that the Franklin County PSAP would receive the caller s Automatic Location Identification and Automatic Number Identification, information not currently provided to Franklin County from Scott County when a 911 call is made from Stamping Ground. According to BellSouth, the cost of the circuit cards required to facilitate the switch would be a non-recurring fee of \$1,390.72 and a non-recurring installation fee of \$464.00.⁴

If the Franklin County PSAP chooses not to implement BellSouth s proposed solution, the only remaining solution would require BellSouth to move the Franklin County customers currently within the Stamping Ground Local Exchange to the Frankfort Local

³ This is solely at Franklin County s discretion.

⁴ Thereafter the annual charge for the additional customers would be \$155.00 at the maximum and nothing at the minimum, depending on Franklin County s current number of customers on the trunk. Response, Item 3, page 2.

Exchange. In addition, a digital carrier system would be necessary to add the volume of customers. BellSouth estimates the cost of this entire process to be \$272,000.⁵ In addition to the high cost, this solution would also require all customers within Franklin County currently served by the Stamping Ground Local Exchange to have their local calling areas changed regardless of their own personal preferences.

The Commission strongly encourages Franklin County/Frankfort PSAP to give serious consideration to the installation of the additional trunks, thus allowing 911 calls originating in the Stamping Ground Local Exchange portion of Franklin County to be routed directly to the Frankfort PSAP. This would allow vital information to be communicated immediately to the Frankfort PSAP, rather than having the information relayed from Scott County. To facilitate a meeting between the parties, a copy of this Order will be sent to the County Judge/Executive of Franklin County.

Having been sufficiently advised, and finding that BellSouth acted properly in all regards, the Commission HEREBY ORDERS that this case is dismissed with prejudice and is removed from the Commission s docket.

Done at Frankfort, Kentucky, this 26th day of November, 2003.

By the Commission

ATTEST:



Executive Director

⁵ Response, Item 5, page 1.