

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO A BILLING)
DISPUTE BETWEEN DELTA) CASE NO. 2003-00243
PHONES, INC. AND BELL SOUTH)
TELECOMMUNICATIONS, INC.)

O R D E R

Having been notified of the billing dispute between Delta Phones, Inc. (Delta Phones) and BellSouth Telecommunications, Inc. (BellSouth) on June 24, 2003, the Commission ordered BellSouth not to disconnect service to Delta Phones for a period of 10 days following the date of the Order. The Commission also ordered the parties to participate in an informal conference with Commission Staff. Commission Staff met with BellSouth and Delta Phones representatives to discuss the billing dispute on June 26, 2003. No issues were settled at the conference.¹

For the foregoing reasons, the Commission, being otherwise sufficiently advised, HEREBY ORDERS that:

1. BellSouth shall not disconnect service to Delta Phones Kentucky customers until further Order from the Commission.
2. Pursuant to 807 KAR 5:006, Section 11, Delta Phones shall make monthly payments to BellSouth for the undisputed amounts necessary to serve its Kentucky customers.

¹ See Informal Conference Memorandum filed in this proceeding on July 1, 2003.

3. Representatives from BellSouth and Delta Phones shall participate in an informal conference with Commission Staff to be held on July 10, 2003 at 1:00 p.m., Eastern Daylight Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. Representatives shall present any and all documents to support their claims regarding the billing dispute, and Delta Phones shall present documents demonstrating the total amount required per month to serve its current Kentucky customers.

4. Delta Phones shall amend its filing of June 26, 2003 designated as a Complaint and Petition for Expedited Relief no later than July 8, 2003.

5. BellSouth shall respond to the allegations in Delta Phones' amended filing of July 8, 2003 no later than July 15, 2003.

6. Delta Phones shall obtain local counsel to represent it in this proceeding. Said counsel shall file an Entry of Appearance with the Commission no later than July 7, 2003.

Done at Frankfort, Kentucky, this 3rd day of July, 2003.

By the Commission

ATTEST:

Wm. H. I. Barker

Executive Director
Deputy

Case No. 2003-00243