

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

VOICE TECH, INC.)	
)	
COMPLAINANT)	
)	CASE NO.
v.)	2003-00257
)	
MCI WORLDCOM COMMUNICATIONS, INC.)	
)	
DEFENDANT)	

O R D E R

On July 1, 2003, Voice Tech, Inc. (Voice Tech) filed a formal complaint against MCI WorldCom Communications, Inc. (MCI), alleging that MCI had engaged in unreasonable and unfair billing practices by assessing unauthorized fees and charges. Voice Tech, the complainant, is a provider of facsimile and Internet services. On September 15, 2003, Voice Tech filed an amended complaint asserting that there are new and continuing unauthorized charges appearing on its bills.

MCI has filed a motion to hold this complaint in abeyance. MCI asserts that it has filed petitions in the Bankruptcy Court for the Southern District of New York for a reorganization under Chapter 11 of the United States Bankruptcy Code. According to 11 U.S.C. § 362(a)(1), the initiation of a bankruptcy case automatically stays proceedings against the debtor that were or could have been commenced before the bankruptcy case was filed, or to recover a claim against the debtor that arose before the commencement of the bankruptcy proceeding.

In its objection to the motion to hold this complaint in abeyance, Voice Tech asserts that the harm it alleges is ongoing. Voice Tech and MCI entered into a contract on May 15, 2002. MCI filed its petition for bankruptcy on July 21, 2002. Voice Tech received its first invoice from MCI on July 1, 2002. That invoice and ones that have been received since that time are the subject of the dispute between the parties.

The Commission finds that disputes which arose prior to July 21, 2002 should not be addressed by this Commission. However, all of the disputes that arose from July 21, 2002 to the present are appropriately addressed by this Commission at this time.

Accordingly, MCI's motion to hold this case in abeyance pending the outcome of bankruptcy proceedings should be denied and a procedural schedule should be established.

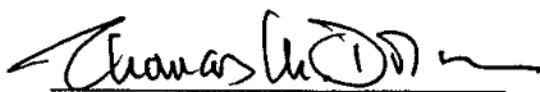
IT IS THEREFORE ORDERED that:

1. MCI's motion to hold this matter in abeyance is denied.
2. Parties shall appear at the Commission's offices on December 10, 2003, at 10:00 a.m., Eastern Standard Time, for an informal conference with Commission Staff to discuss all matters pending in this proceeding.

Done at Frankfort, Kentucky, this 6th day of November, 2003.

By the Commission

ATTEST:



Executive Director