

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ACCXX COMMUNICATIONS, LLC)	
)	CASE NO. 2007-00400
_____)	
)	
ALLEGED VIOLATIONS OF KRS 278.535)	

O R D E R

On September 27, 2007, the Commission entered an Order (“September 27 Order”) establishing this proceeding for the purpose of investigating complaints against ACCXX Communications, LLC (“ACCXX”). The complaints allege that ACCXX violated KRS 278.535, which prohibits the unauthorized change of a customer’s telephone service provider. In the September 27 Order, the Commission ordered ACCXX to respond to the allegations, to provide certain requested information, and to have counsel enter an appearance on its behalf, all within 30 days of the date of the Order. The Commission also ordered ACCXX to appear at a hearing in this matter on February 5, 2008, at the Commission’s offices. Copies of the September 27 Order were sent to ACCXX at its corporate office in Atlanta, Georgia, and to its registered in-state agent in Lexington, Kentucky.

The Commission finds that as of the date of this Order, ACCXX has failed to respond to the allegations in the September 27 Order, nor has it provided the requested data or had an attorney enter an appearance on its behalf.

Although ACCXX has failed to respond to the September 27 Order, the Commission finds that the February 5, 2008 hearing in this matter shall proceed as scheduled.

IT IS THEREFORE ORDERED that:

1. The February 5, 2008 hearing in this matter shall proceed as scheduled.
2. The Executive Director shall serve a copy of this Order to ACCXX by certified mail.
3. The Executive Director shall serve a copy of this Order to ACCXX's in-state agent, TCS Corporate Services, by certified mail.

Done at Frankfort, Kentucky, this 30th day of November, 2007.

By the Commission

ATTEST:



Executive Director