

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THE FAILURE)	ADMINISTRATIVE
OF CERTAIN UTILITIES TO FILE)	CASE NO. 2008-00437
REQUIRED REPORTS)	

O R D E R

On November 12, 2008, the Commission ordered certain utilities to show cause why they should not be subjected to civil penalties and why their authority to operate in this Commonwealth should not be revoked for their failure to comply with KRS 278.140 for calendar year 2007.¹ We further ordered that, should a utility fail to respond to this Order within 30 days, its authorization to provide utility service in this Commonwealth would be revoked, its tariff would be cancelled, and its name would be removed from the Commission's listing of active utilities.

Of the utilities ordered to show cause, those who have now filed and are in compliance with KRS 278.140 for calendar year 2007 are listed in Appendix A and the cases against them should be dismissed. Of the telecommunications utilities directed to show cause, those listed in Appendix B were properly served with the Order of November 12, 2008 but have not responded or filed the required reports.

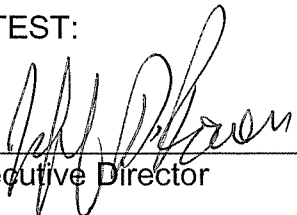
¹ KRS 278.140 requires each utility to file, on or before March 31 of each year, a report of its gross earnings or receipts derived from intra-state business for the preceding calendar year and, if applicable, an annual report. Based upon these reports, the Commission certifies the intra-state revenue so collected to the Kentucky Revenue Cabinet and the Finance and Administration Cabinet. KRS 278.150. The Kentucky Department of Revenue then assesses each utility in proportion to its receipts from intra-state business for the preceding calendar year. The proceeds of this assessment are used to finance the Commission's operations. KRS 278.130. KRS 278.990 provides penalties for utilities that fail to file the required reports or to pay an assessment as provided in KRS 278.130 to 278.150.

Based upon the foregoing, the Commission HEREBY ORDERS that:

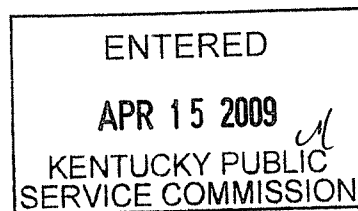
1. The case against each entity listed in Appendix A to this Order is dismissed from this proceeding.
2. The authority of each entity listed in Appendix B to this Order to provide utility service in this Commonwealth is revoked.²
3. The tariff of each entity listed in Appendix B to this Order is cancelled.
4. Any entity listed in Appendix B that wishes to regain authority to provide utility service in the Commonwealth shall pay a penalty of \$250, together with accrued interest at the statutory rate of 12 percent per annum; apply in writing to the Commission for restoration of its authority to provide utility service; and file a new tariff setting forth its rates and conditions of service.
5. Subject to the filing of timely petition for rehearing pursuant to KRS 278.400, these proceedings are closed. The Executive Director shall place any future filings in the appropriate utility's general correspondence file or shall docket the filing as a new proceeding.

By the Commission

ATTEST:



Executive Director



² The entities listed in Appendix B are telecommunications utilities. The Commission will consider by separate Order the cases of those entities that were listed in our Order of November 12, 2008 that are not telecommunications utilities or are telecommunications utilities that have not been properly served.

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY
PUBLIC SERVICE COMMISSION
IN ADMINISTRATIVE CASE NO. 2008-00437 DATED

APR 15 2009

Appalachian Waste Control

ID: 36850 (Sewer Company)
Squire Williams III
Temporary Receiver
P.O. Box 676
Frankfort, KY 40602

County of Boone, Kentucky

ID: 7001100 (Water District)
Lisa Buerkley
Treasurer
P.O. Box 960
Burlington, KY 41005

Estill County Water District # 1

ID: 21500 (Water District)
ID: 22221500 (Sewer Company)
Audrea Miller
Office Manager
76 Cedar Grove Road
Irvine, KY 40336

Green Hills Water District

ID: 22100 (Water District)
Alfred Witt
Chairman
P.O. Box 116
Bledsoe, KY 40810

Ledbetter Water and Sewer District

ID: 24200 (Water District)
ID: 22224200 (Sewer Company)
Billy Downs
District Manager
P.O. Box 123
Ledbetter, KY 42058

Level 3 Communications, LLC

ID: 22250094 (LD)
William P. Hunt III, Esquire
Vice President & Regulatory Counsel
1025 Eldorado Boulevard
Broomfield, CO 80021

Lewis Sanitation Company, Inc.

ID: 46100 (Sewer Company)
John Lewis
President
771 Sargent Drive
P.O. Box 22988
Owensboro, KY 42304

Oldham Woods Sanitation, Inc.

ID: 48250 (Sewer Company)
Georgann Martin
Owner
P.O. Box 23226
Anchorage, KY 40223

Tel-Tech Communications

ID: 5056000 (CLEC)
Robert Morgan
President/General Manager
3400 Lower McIntosh Road
P.O. Box 242
Stinnet, KY 40868

Willow Pointe Sanitation

ID: 9001500 (Sewer Company)
Jerry Deatherage
2135 Chamber Center Drive
Ft. Mitchell, KY 41017

Ztar Mobile, Inc.

ID: 4102000 (Cellular)

Cymun Horner

Regulatory

951 N. Walnut Creek Drive

Suite C

Mansfield, TX 76063

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY
PUBLIC SERVICE COMMISSION
IN ADMINISTRATIVE CASE NO. 2008-00437 DATED
APR 15 2009

Call Processing, Inc.

ID: 5156300 (LD)
Charles J. Stimson, President
901 E. 18th Street
Plano, TX 75074

**CAT Communications International,
Inc.**

ID: 22205059 (LD)
Debra Waller
Regulatory Assistant
P.O. Box 11845
Roanoke, VA 24017-0335

Epixtar Communications Corp.

ID: 5166400 (LD)
William D. Rhodes, President
11900 Biscayne Blvd.
Suite 700
Miami, FL 33181

**FreedomStarr Communications, Inc.
d/b/a Planet Earth Communications
and d/b/a iPhonebill.com**

ID: 5150400 (LD)
Gary Hickox
Regulatory
8383 Wilshire Blvd., Suite 333
Beverly Hills, CA 90211-2415

Gates Communications, Inc.

ID: 5158200 (LD)
3100 Cumberland Blvd SE
Suite 900
Atlanta, GA 30339-5930

**Nations Broadband, Inc. d/b/a
Nations Tel and MTS/Communicall**

ID: 5126300 (LD)
Steven Green, Esq.
Vice President, Regulatory
13455 Noel Road, Suite 1000
Dallas, TX 75240

NationsLine Kentucky, Inc.

ID: 5054800 (CLEC)
Stephen Athanson
General Counsel
P.O. Box 11845
Roanoke, VA 24022-1845

PT-1 Communications, Inc.

ID: 5123200 (LD)
PT-1 Communications, Inc.
3100 Cumberland Blvd SE
Suite 900
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R2C Communications, Inc.

ID: 5169200 (LD)
Dennis E Bay
President/CEO
9532 Mission Road #25
Overland Park, KS 66206

StarVox Communications, Inc.

ID: 5056050 (CLEC)
ID: 5176700 (LD)
Catherine M. Hannan
The CommLaw Group
1483 Chain Bridge Road, Suite 301
McLean, VA 22101

Total Telephone Concepts, Inc.

ID: 5169000 (LD)

Andrew Farmer

Vice President

6 Fairway Drive

Lake Charles, LA 70605

Wherify Wireless, Inc.

ID: 4102700 (Cellular)

Jerry Parrick, President

63 Bovet Road

San Mateo, CA 94402

Urtelecom, LLC

ID: 5055990 (CLEC)

Wendell McCarty, Manager

310 Deer Run

Oneonta, AL 35121

WinSonic Digital Media Group, Ltd.

ID: 5055560 (CLEC)

ID: 5175700 (LD)

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