

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AT&T COMMUNICATIONS OF )  
THE SOUTH CENTRAL STATES, INC., FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND ) CASE NO. 8935  
NECESSITY TO PROVIDE TELEPHONE COMMON )  
CARRIER SERVICE )

O R D E R

On February 8, 1984, the Commission issued an Order granting limited rehearing in this case pending a decision by Judge Greene concerning BellSouth's proposed waiver from the Modified Final Judgment restrictions concerning the provision of OUTWATS service. Since that time AT&T Communications of the South Central States, Inc. ("AT&T"), has periodically provided status reports to the Commission.

On July 19, 1988, the Commission, through the Executive Director's Office, requested a status report which was filed on July 29, 1988 by counsel for AT&T. The request and the reply are attached to this Order.

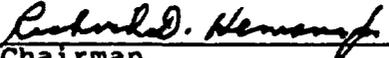
In its July 29, 1988 status report AT&T asserted that the Decree Court has never ruled on BellSouth's motion for a waiver and that such a decision is not likely to be forthcoming. AT&T also states that this case should be closed; that is, the rehearing should be denied.

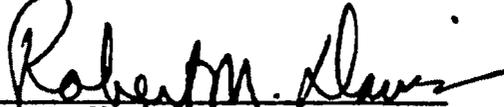
The Commission seeks comments from parties of record concerning AT&T's proposal to dispense with this case.

IT IS THEREFORE ORDERED that parties of record shall file comments on the attached July 29, 1988 letter from AT&T by October 1, 1988. Such comments should specifically describe any objections to closing this case.

Done at Frankfort, Kentucky, this 14th day of September, 1988.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

\_\_\_\_\_  
Executive Director

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VIA HAND DELIVERY

July 29, 1988

Hon. Forest M. Skaggs  
Executive Director  
Public Service Commission  
730 Schenkel Lane  
P.O. Box 615  
Frankfort, Kentucky 40602

Re: In the Matter of: The Application Of AT&T  
Communications Of The South Central States,  
Inc. For A Certificate Of Public Convenience  
And Necessity To Provide Telephone Common  
Carrier Service., Case No. 8935.

Dear Mr. Skaggs:

This letter is in response to your request for a status report on BellSouth's proposed waiver from the Modified Final Judgment's restrictions concerning the provision of OUTWATS service.

As you are aware, BellSouth's waiver was filed in the immediate post-divestiture environment during a time when several states, including the Commonwealth of Kentucky, were considering the provision of 800 and/or OUTWATS service by AT&T and the former Bell operating companies. This matter was being examined by the Commission in the above-styled docket.

FILED

JUL 29 1988

PUBLIC SERVICE  
COMMISSION

**GREENEBAUM  
DOLL & McDONALD**

Hon. Forest M. Skaggs  
July 29, 1988  
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The Decree Court has never formally ruled on BellSouth's motion for a waiver of OUTWATS service from the restrictions of the Modified Final Judgment. In the interim, technical and tariff changes in the provision and billing of 800 and OUTWATS service has rendered such a decision moot. Accordingly, it is unlikely that there will ever be a decision by the Decree Court on this issue. Therefore, AT&T suggests that this docket should be closed unless other issues remain for consideration by the Commission.

Please advise me of what further steps, if any, we need to take to assist the Commission in disposing of this matter.

Sincerely,



Eric L. Ison



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

July 19, 1988

Honorable Eric L. Ison  
Greenebaum, Doll & McDonald  
3300 First National Tower  
Louisville, Kentucky 40202

Re: Case No. 8935

Dear Eric:

The Commission entered an Order in this case on February 8, 1984, granting limited rehearing pending confirmation of Judge Greene's decision on BellSouth's proposed waiver from the MPJ's restrictions concerning the provision of OUTWATS service. You last provided a status report on September 11, 1987.

I am requesting AT&T Communications provide the Commission a status report by August 5, 1988 on this matter as it now exists before Judge Green's Court. Since this case has been on the docket for so long the Commission would like to expedite its actions, if possible. If you have suggestions on how best we can conclude this case, please feel free to include them.

If I can be of any other assistance, please don't hesitate to contact me at (502) 564-2473.

Sincerely,

*Forest*

Forest M. Skaggs  
Executive Director

FMS:lb