

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE TARIFF FILING OF LITEL )  
TELECOMMUNICATIONS CORPORATION )  
TO ESTABLISH NATIONAL DEDICATED ) CASE NO. 89-147  
800 SERVICE )

O R D E R

Introduction

On May 8, 1989, LiTel Telecommunications Corporation ("LiTel") made a tariff filing to establish National Dedicated 800 Service, effective June 8, 1989, National Dedicated 800 Service is a virtual banded, volume sensitive, inbound toll service. Termination charges for National Dedicated 800 Service are based on call duration, rate period, and total monthly usage in each rate period.

On May 30, 1989, South Central Bell Telephone Company ("South Central Bell") filed a Motion to intervene; consolidate the tariff filing with Administrative Case No. 323;<sup>1</sup> and for nondiscriminatory treatment of LiTel's services. South Central Bell's motion is based on the premise that National Dedicated 800

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<sup>1</sup> Administrative Case No. 323, An Inquiry Into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Call by Interexchange Carriers, and WATS Jurisdictionality. LATA is an acronym for Local Access and Transport Area and WATS is an acronym for Wide Area Telecommunication Service.

Service can generate unauthorized intraLATA traffic. Accordingly, South Central Bell contends that National Dedicated 800 Service should be subject to: (1) any compensation arrangement that may be ordered in Administrative Case No. 323; and (2) usage reporting requirements ordered in the case of similar tariff filings.

#### Discussion

In terms of service configuration, National Dedicated 800 Service is generically similar to other service offerings that have been approved by the Commission. These generically similar and other service offerings can generate unauthorized intraLATA traffic.<sup>2</sup>

The Commission is of the opinion that South Central Bell's Motion to intervene should be granted in order to address the remaining motions.

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Case No. 9519, AT&T Communications' Tariff Proposal for Software Defined Network Service; Case No. 9874, AT&T Tariff Filing Proposing Megacom/Megacom 800 Service; Case No. 9902, US Sprint's Tariff Filing Proposing to Rename its WATS Products, Change Billing Calculation Methods for WATS, Introduce UltraWATS, Travelcard, Direct 800 and Ultra 800; Case No. 9929, MCI's Tariff Filing to Establish Prism Plus, Prism I, and Prism II Services; Case No. 10049, MCI's Tariff Filing To Introduce Metered Use Option H; Case No. 10106, AT&T Tariff Filing Proposing AT&T Readyline 800 Service; Case No. 89-002, US Sprint Fonline 800 Service; Case No. 89-010, US Sprint's Banded WATS Service Tariff Filing; Case No. 89-011, MCI Telecommunications Corporation's Tariff Filing to Establish VNet Service; Case No. 89-37, The Tariff Filing of LiTel Telecommunications Corporation to Establish Carrier Express II Service; and Case No. 89-083, The Tariff Filing of LiTel Telecommunications Corporation to Establish National 800 Service.

South Central Bell does not specifically move the Commission to suspend the National Dedicated 800 Service tariff filing. Moreover, in the opinion of the Commission, suspension and investigation would not serve any useful purpose. Similar tariff filings have been suspended, investigated, and approved, subject to the conditions that South Central Bell suggests should apply to National Dedicated 800 Service. The Commission agrees that the terms and conditions that apply to other service offerings that can generate unauthorized intraLATA traffic should also apply to National Dedicated 800 Service. Therefore, the Commission is of the opinion that South Central Bell's Motion for nondiscriminatory treatment of LiTel's services should be granted.

Since the Commission will mandate that LiTel comply with the same terms and conditions for National Dedicated 800 Service as apply to other service offerings that can generate unauthorized intraLATA traffic, it is not necessary to consolidate this matter with Administrative Case No. 32j. Therefore, the Commission is of the opinion that South Central Bell's Motion to consolidate should be denied.

#### Findings and Orders

The Commission, having considered LiTel's tariff filing, South Central Bell's motion, and being sufficiently advised, is of the opinion and finds that:

1. South Central Bell's Motion to intervene should be granted.

2. South Central Bell's Motion for nondiscriminatory treatment of LiTel's services should be granted.

3. South Central Bell's Motion to consolidate this matter with Administrative Case No. 323 should be denied.

4. LiTel's National Dedicated 800 Service tariff filing should be made effective on June 8, 1989, pursuant to the provisions of 807 KAR 5:011, Section 9(1), subject to any compensation arrangement that may be ordered in Administrative Case No. 323.

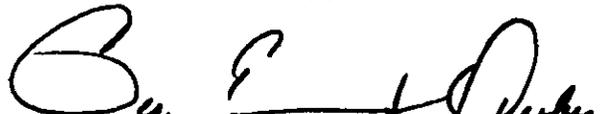
5. LiTel should measure and report interstate and intrastate jurisdictional usage and interLATA and intraLATA usage associated with National Dedicated 800 Service, and file usage reports with the Commission on a quarterly basis.

6. LiTel should inform prospective National Dedicated 800 Service customers that their use of the service to complete intraLATA calls is not authorized by the Commission.

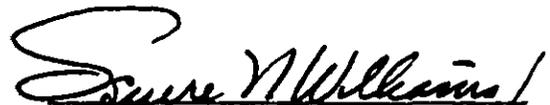
Accordingly, the above findings are HEREBY ORDERED.

Done at Frankfort, Kentucky, this 8th day of June, 1989.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

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Executive Director