

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

IN THE MATTER OF THE APPLICATION OF)

TCT WEST, INC., FOR AUTHORITY TO) DOCKET NO. 70014-TA-97-6

PROVIDE "1+" INTRALATA EQUAL ACCESS)

PLAN)

AND

IN THE MATTER OF THE APPLICATION OF)

TRI COUNTY TELEPHONE ASSOCIATION, INC.,) DOCKET NO. 70011-TA-97-14

FOR AUTHORITY TO PROVIDE "1+" EQUAL)

ACCESS)

NOTICE AND ORDER

(Issued February 2, 1998)

This matter is before the Commission upon the amended applications of TCT WEST, Inc., and Tri County Telephone Association, Inc., (hereinafter TCT West and Tri County or the Companies) for authority to provide "1+" equal access.

The Commission, having considered the applications and its files regarding TCT West and Tri County, applicable Wyoming utility law, and otherwise being fully advised in the premises, FINDS and CONCLUDES:

1. TCT West and Tri County are telecommunications companies as defined in W.S. 37-15-103(a)(xi) and, as such, are subject to the jurisdiction of the Commission pursuant to W.S. 37-15-401.
2. In these applications, TCT West and Tri County sought approval of plans to implement "1+" intraLATA equal access. The applications were consolidated with similar applications by other telecommunications companies and the subject of a public hearing on October 28, 1997. At the hearing it was revealed that U S WEST Communications, Inc. did not want to remain the carrier of last resort for intraLATA toll calls for TCT West and Tri County upon the implementation of dialing parity. At its deliberations on this matter on November 24, 1997, the Commission determined that U S WEST was not required to be the carrier of last resort. Therefore, TCT West and Tri County filed amendments to their applications requesting the Commission to designate a subsidiary, Tri-Tel, Inc., to be the carrier of last resort for intraLATA toll calls originating in their certificated areas. The Companies propose to have Tri-Tel, Inc., adopt the tariffs of U S WEST as they relate to intraLATA toll calling in their entirety.
3. The Commission concludes that in order to maintain continuity of intraLATA toll calling to customers in TCT West's and Tri County's certificated areas the proposed amendments which would make Tri-Tel, Inc., the carrier of last resort, should be approved. However, the Commission does have some concerns relating to imputation and cross-subsidies. Therefore, the Commission directs TCT West and Tri County to file briefs on or before March 4, 1998, addressing: (1) whether the imputation standards set forth in W.S. 37-15-402(d) apply and, if not; (2) what steps have been or are proposed to be taken which ensure that revenues from the Companies non-competitive services will not be used to subsidize the competitive toll services as prohibited by W.S. 37-15-403(a). Interveners who wish to file briefs may do so on or before March 4, 1998. Any other interested parties may intervene in this proceeding for the purpose set forth in this Notice and Order only and may file their request to intervene concurrently with their brief.
4. The application of TCT West and Tri County are on file at the Companies' office in Basin, Wyoming, and at the

Commission's office in Cheyenne, Wyoming, and may be inspected by any interested person during regular business hours.

5. If you wish to intervene in this matter and you require reasonable accommodation for a disability, please contact the Wyoming Public Service Commission at (307) 777-7427 (voice or TTY) in Cheyenne during regular business hours or write to us at the Hansen Building, Suite 300, 2515 Warren Avenue, Cheyenne, Wyoming 82002, to make arrangements. Communications impaired persons may also contact the Commission by accessing Wyoming Relay at 1-800-877-9965. Please mention the docket number in your communications and contact us as soon as possible to help us serve you better.

6. The Commission directs that the public notice in this matter be in the following form:

PUBLIC NOTICE

TCT WEST, Inc. (TCT) and Tri-County Telephone Association, Inc. (Tri-County) have filed amended applications for authority to provide "1+" intraLATA equal access in Wyoming. During the hearing regarding the original applications, U S WEST Communications, Inc. (U S WEST) indicated that it no longer wished to be the carrier of last resort for TCT and Tri-County. In response, TCT and Tri-County filed an amendment to the applications requesting that the Commission designate Tri-Tel, a subsidiary, as the carrier of last resort and that it be allowed to adopt U S WEST's tariffs relating to intraLATA toll calling in their entirety.

The Commission has approved the application, subject to protest, and has raised additional concerns regarding imputation standards and intercompany cross-subsidies. TCT and Tri-County have been directed to file briefs on this issue on or before March 4, 1998.

You may review these applications at the PSC in Cheyenne or at TCT and Tri-County's offices located in Basin, Wyoming during regular business hours.

To intervene, request a hearing, file a statement, representation or protest these applications, you must file with the PSC, mentioning Docket Nos. 70014-TA-97-6 and 70011-TA-97-14, on or before March 4, 1998.

If you wish to participate and require reasonable accommodation for a disability, call the PSC at (307) 777-7427 or write the PSC at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002. Communications impaired persons may contact the PSC through Wyoming Relay at 1-800-877-9965.

Dated February 2, 1998.

IT IS THEREFORE ORDERED THAT:

1. Pursuant to open meeting action taken on December 23, 1997, the applications of TCT West, Inc., and Tri County Telephone Association, Inc., to designate a subsidiary, Tri-Tel, Inc., as the carrier of last resort for intraLATA toll calls originating in their certificated areas is hereby approved, subject to the conditions set forth in paragraph 3 above and any action the Commission deems necessary based on the information supplied in response thereto.

2. This Order is effective December 23, 1997.

MADE and ENTERED at Cheyenne, Wyoming this 2nd day of February, 1998.

PUBLIC SERVICE COMMISSION OF WYOMING

STEVE ELLENBECKER, Chairman

KRISTIN H. LEE, Commissioner

STEVE FURTNEY, Commissioner

ATTEST:

MICHAEL M. ROBINSON, Assistant Secretary

