

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the matter of the tariff filing of)	
AT&T Missouri introducing a new)	Case No. _____
fee for business customers)	Tariff No. JI-2008-0702

MOTION TO REJECT TARIFF

The Office of the Public Counsel asks the Public Service Commission to reject the proposed tariff that involves a new fee for a business customer in a competitive exchange if the business customer requests or receives assistance in processing payments from an AT&T company representative. The tariff language is vague and does not give fair written notice of the type of “request” or “assistance” that will subject the customer to the new charge. The tariff also does not address whether or not this new charge will apply if the customer makes a qualifying request or receives assistance, but the customer was not advised of that new fee or that the request for assistance is not provided or is incorrect.

It is contrary to sound public policy and contrary to the normal expectations of consumers that requests for “service” or assistance in processing payment from the company billing the customer will result in a new special surcharge for the company to respond to some question or provide assistance to the customer to pay the correct payment. Requiring even a business customer to pay for assistance and for making payment is overreaching and questionable fairness. It certainly is reasonable to consider that inquiries into the customer’s bills, the payment process and methods, and assistance from AT&T’s representatives to submit a payment is already charged and built into the

cost of doing business and inherent in the issuance and collection of bills without exacting an additional surcharge from the customer.

Public Counsel further objects and moves to reject the tariff because a copy of the customer notice was not provided.

Therefore, it appears that the tariff filing fails to comply with Commission Rule 4 CSR 240-3.545 Filing Requirements for Telecommunications Company Tariffs (15) All telecommunications companies are required to submit to the commission with the tariff filing, a copy of the notification of rate increases that was sent or will be sent to customers pursuant to 4 CSR 240-33.040(4) and a positive affirmation in writing that the notice was sent or will be sent to customers at least ten (10) days in advance of the rate's effective date.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Michael F. Dandino

BY: _____
Michael F. Dandino (Bar No. 24590)
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed or hand delivered this 27th day of May, 2008 to the following:

General Counsel
Missouri Public Service Commission.
P. O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Tim Judge
AT&T Missouri
101 W. High Street
Jefferson City, MO 65101
tj4848@att.com

/s/ Michael F. Dandino



Tim Judge
Director - Regulatory

AT&T Services, Inc.
101 W. High St.
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573-638-0261 Phone
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May 23, 2008

Secretary of the Commission
Missouri Public Service Commission
P. O. Box 360
Jefferson City, Missouri 65102-0360

Dear Secretary of the Commission:

Southwestern Bell Telephone Company, d/b/a AT&T Missouri, proposes to revise P.S.C. Mo. - No. 35, General Exchange Tariff, Section 17 by replacing 6th Revised Sheet 13 with 7th Revised Sheet 13.

This filing introduces a fee applicable when a business customer located in a competitively classified exchange requests a Company Representative's assistance in processing a payment.

The issued and effective dates are May 23, 2008 and June 23, 2008, respectively.

Please refer any questions on this matter to Tim Judge on 573-638-0261.

Very truly yours,

/s/ Tim Judge

I certify that a copy of the foregoing, including attachments, is being sent via e-mail to the Office of Public Counsel at opcservice@ded.mo.gov this 23rd day of May, 2008.

Tim Judge

Attachment

**P.S.C. Mo. - No. 35
GENERAL EXCHANGE TARIFF**

Section 17

Southwestern Bell Telephone
Company d/b/a AT&T Missouri

7th Revised Sheet 13
Replacing 6th Revised Sheet 13

RULES AND REGULATIONS APPLYING TO ALL CUSTOMERS' CONTRACTS

17.6 PAYMENTS FOR SERVICE(cont'd)

17.6.1 Payment for Service(cont'd)

B. Business Service

The customer is responsible for payment of all charges for services furnished the customer, authorized users, and any other charges for which the customer has agreed to be responsible, including but not limited to charges for services originated or charges accepted at the customer's telephone for exchange service; intrastate or interstate long distance service charges billed by the Telephone Company; any FCC-approved end user charge; any charges transferred to the customer's account from terminated accounts billed to the same customer; and any charges pursuant to Paragraph 17.4., preceding, where the customer has executed a Contract of Guaranty. A customer shall have at least 10 days from the rendition of a bill to pay the charges.

A Late Payment Charge of one point five seven five percent (1.575%) will be applied to all charges carried over to the next monthly bill. The Late Payment Charge may be applied to any disputed amount and will be adjusted if the claim is settled in the customer's favor.

Effective October 22, 2007, business customers in exchanges classified as competitive as detailed in Section 32 of this tariff, will have a Late Payment Charge equal to the greater of \$8.00 or 1.5% of the unpaid balance applied to accounts which have charges greater than \$5.00 carried over to the next monthly bill.

Where possible, the Company will exempt the disputed portion of the bill from the Late Payment Charge until the claim is resolved. If the claim is resolved in favor of the Company, the Late Payment Charge will be applied if appropriate.

The State of Missouri and its State agencies are exempted from the late payment charge unless or until §34.055 RSMo (1994) is revised to authorize telecommunications utilities to impose late penalties if the State does not pay for goods or services within 30 days.

Upon non-payment of any sum due the Telephone Company, the Telephone Company may, after a written notice has been furnished to the customer, without incurring any liability, forthwith discontinue the furnishing of service. This written notice shall be sent or delivered to the customer at least five days prior to the date of the discontinuance. If, in the judgment of the Telephone Company, unusual risk of financial loss exists, service may be suspended after 48 hours' written notice has been furnished to the customer.

Business customers in exchanges classified as competitive as detailed in Section 32 of this tariff, (AT) may have a Convenience Fee apply in each instance when the subscriber requests a Company Representative's assistance in processing a payment. The subscriber will be informed by the Company Representative of the charge prior to processing the subscriber's payment. The charge will not apply to payments made via the automated payment option of the Company's interactive voice response (IVR) systems, payments made online via the Company's website, or payments made by mail./1/. (AT)

Convenience Fee (per payment request)	\$5.00	(NR)
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/1/ The fee will not apply when automated payment systems are unavailable due to system problems. (AT)

ISSUED: May 23, 2008

By DAVID NICHOLS, President - Missouri
St. Louis, Missouri

EFFECTIVE: June 23, 2008

Tariff File Number: JI-2008-0702

Company Name: Southwestern Bell Telephone Company d/b/a AT&T Missouri (AT&T)

Effective Date: June 23, 2008

Purpose of Filing: AT&T proposes to charge customers a convenience fee. This fee applies when the customer requests assistance in processing a payment. This charge does not apply to the automated payment or online option. The convenience fee is \$5.00 per request.

AT&T is an incumbent local exchange distance telecommunications carrier.

Telecommunications Staff Review completed by: Sara Buyak Date: 5-27-08

Telecommunications Managerial Staff Review completed by: WLW Date: 5-27-08

Legal Staff Review completed by: WKH Date: 5-27-08

The Staff states that the tariff meets the requirements of all applicable statutes, specifically, one or more of the following: Sections 392.200(8), (12); 392.245: 392.455(3), (4); 392.515(1) and 392.500(2) RSMo. In addition, the tariff filing does not conflict with the following Commission rules: 4 CSR 240-3.545 (4), (6), (7), (8 C,G,H), (9), (15), (16), (19); 4 CSR 240-31.065(1), (2), (3); 4 CSR 240-32.150(5), 32.160(1), (2), 32.190; 4 CSR 240-33.040(4), 33.045(2), 33.050(4) and 33.070(2).

The Staff is unaware of any other filing which affects or which would be affected by this tariff filing. Staff has no objections to the filing.

☒ The Company is not delinquent.

☐ The Company is delinquent (☐ filing an annual report ☐ paying PSC assessment)