

SPENCER FANE BRITT & BROWNE

JAMES T. BRITT
WILLIAM H. WOODSON **
ROBERT P. LYONS
RICHARD H. SPENCER
DONALD W. GIFFIN **
LOWELL L. SMITHSON
JAMES R. WILLARD
GAD SMITH **
EDWARD A. SETZLER
RICHARD W. SCARRITT
JACK L. WHITACRE
BASIL W. KELSEY **
JEROME T. WOLF **
MENDEL SMALL
JAMES G. BAKER
JACOB F. MAY, JR. **
CARL H. HELMSTETTER
E. J. HOLLAND, JR.
JAMES W. KAPP, JR.

FRANK B. W. MCCOLLUM **
JAMES R. HUECK
STANLEY E. CRAVEN
RONALD L. LANGSTAFF
SANDRA L. SCHEPMEHORN
MICHAEL C. KIRK
MICHAEL F. DELANEY
I. EDWARD MAROQUETTE
CURTIS E. WOODS
RUSSELL W. BAKER, JR.
GARDINER B. DAVIS
J. NICK BADGEROW **
DAVID D. GATCHELL
TERRY W. SCHACKMANN **
PAUL D. COWING
SCOTT J. GOLDSTEIN
MARK P. JOHNSON
JAMES T. PRICE
GEORGANN H. EGLINSKI **

1400 COMMERCE BANK BUILDING
1000 WALNUT STREET
KANSAS CITY, MISSOURI 64106-2140
TELEPHONE (816) 474-8100
TELEX 43-4345
TELECOPIER (816) 474-3216

KANSAS OFFICE
SUITE 500, 40 CORPORATE WOODS
9401 INDIAN CREEK PARKWAY
P. O. BOX 25407
OVERLAND PARK, KANSAS 66225-5407
TELEPHONE (913) 348-8100
TELECOPIER (913) 345-0736

WASHINGTON, D.C. OFFICE
1155 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036
TELEPHONE (202) 859-5103

BRUCE E. CAVITT **
WILLIAM C. MARTUCCI
RICHARD H. HERTEL *
ROBERT B. TERRY
JOHN L. UTZ
SHIRLEY EDMONDS-GOZA
MICHAEL F. SAUNDERS
MARK A. THORNHILL
DAVID L. WING **
JAMES A. SNYDER
DAVID A. SOSINSKI
GREGORY C. LAWSON
BRIAN H. DUNN
DAVID V. KENNER
BRIAN N. KAUFMAN
MARTIN J. MODRCIN
KENNETH A. MASON
PARTHENIA B. EVANS **
TERESA A. WOODY

ELAINE D. KOCH
CINDY SESLER BALLARD
STEPHANIE A. MATHEWS **
AMY L. PECA
JAMES H. ANDREASEN
EDWARD C. FENSHOLT *
MARY VIRGINIA CLARKE
LYNNE C. LAMY
ALISON ARMSTRONG
DANIEL L. EPP
MICHAEL J. WILCZYNSKI
MARK A. SCUDDER
DAVID L. BLACK **
SUSAN G. CAMPBELL **
THERESE M. SCHUELE **
MARK C. THOMPSON
MARY S. SHAFER
ALICE J. FISCHER **

CHARLES S. SCHNIDER **
MITCHELL S. PETTIT *
CHARLES F. MYERS
OF COUNSEL

* ADMITTED IN KANSAS
** ADMITTED IN KANSAS AND MISSOURI
ALL OTHERS ADMITTED IN MISSOURI

PLEASE REPLY TO THE MISSOURI OFFICE
FILE NO. 3332800-2

March 8, 1989

Mr. Harvey G. Hubbs
Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Re: Case No. TA-88-218, et al.

Dear Mr. Hubbs:

Please find enclosed for filing the original and 14 copies of the Motion for Expedited Hearing by National Telephone Services. I would request that you bring this motion to the attention of the Commission.

By copy of this letter, I have served a copy of the enclosed motion on all parties of record.

Yours very truly,



MPJ/wsh
Enclosures
cc: All Parties of Record

FILED
MAR 10 1989
PUBLIC SERVICE COMMISSION

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the application)
of American Operator Services, Inc.)
for a certificate of service authority) Case No. TA-88-218
to provide Intrastate Operator-Assisted)
Resold Telecommunications Services.)

In the matter of Teleconnect Company)
for authority to file tariff sheets)
designed to establish Operator Services) Case No. TR-88-282
within its certificated service area)
in the State of Missouri.)

In the matter of Dial U.S. for)
authority to file tariff sheets)
designed to establish Operator Services) Case No. TR-88-283
within its certificated service area)
in the State of Missouri.)

In the matter of Dial U.S.A. for)
authority to file tariff sheets)
designed to establish Operator Services) Case No. TR-88-284
within its certificated service area)
in the State of Missouri.)

In the matter of International)
Telecharge, Inc. for authority to file)
tariff sheets designed to establish) Case No. TR-89-6
Operator Services within its)
certificated service area in the State)
of Missouri.)

MOTION FOR EXPEDITED CONSIDERATION

Comes now Applicant American Operator Services, Inc.,
d/b/a National Telephone Services ("NTS"), and moves that the
Commission expedite its consideration of NTS's application for
certification to provide operator-assisted interexchange
telecommunications service in Missouri. In support of this
motion, NTS states the following.

FILED

MAR 10 1989

PUBLIC SERVICE COMMISSION

Briefing in these consolidated cases was completed on December 30, 1988, at which time the cases were submitted to the Commission for decision. Subsequent events have placed great urgency on the Commission's ruling.

Under recent rulings of Judge Greene in the AT&T divestiture case, all owners of pay telephones in the United States, including Missouri, will soon begin selection of presubscribed interexchange carriers. That balloting process is scheduled to commence in Missouri on April 1, 1989, less than one month from now. Absent an early ruling in these cases the ability of NTS and other competitive operator service providers to compete effectively for pay telephone customers will be severely undermined.

In addition, by letter dated February 9, 1989, Southwestern Bell notified NTS that unless NTS can certify by March 15, 1989, that NTS has been certificated to provide intrastate interLATA service in Missouri, or made appropriate arrangements to transfer such calls to a certificated carrier, Southwestern Bell will not honor requests to presubscribe pay telephones to NTS. (See attached Exhibit A).


On February 27, 1989, Southwestern Bell filed with the Commission a proposed tariff concerning the balloting and presubscription process. The tariff has been assigned File No.

8900347 and bears a proposed effective date of March 30, 1989. Inter alia, the proposed tariff sets forth a plan for assigning pay telephones to interexchange carriers according to the telephone owners' wishes, and a process allocating all other pay telephones to various interexchange carriers. The initial ballots are to be mailed no later than May 1, 1989. Again, absent certification in the near future, Southwestern Bell has indicated that NTS will be effectively cut out of the initial balloting for Missouri pay telephone market.

The potential difficulties with the balloting and presubscription process would largely be cured with certification from the Commission in the near future. NTS and all other competitive operator service companies face an uncertain future in Missouri unless the Commission acts expeditiously in these cases. Without being allowed to compete effectively in the balloting process to be completed by May 1, NTS and the other competitive operator services companies will be permanently damaged in their efforts to bring the benefits of competitive operator services to Missouri consumers.

Respectfully submitted,

SPENCER FANE BRITT & BROWNE



Mark P. Johnson
Mo. Bar ID No. 30740
1400 Commerce Bank Building
1000 Walnut Street
Kansas City, Missouri 64106-2140
(816) 474-8100

Brad E. Mutschelknaus /MPS
Brad E. Mutschelknaus
General Counsel
AMERICAN OPERATOR SERVICES, INC.
6100 Executive Bouleyard
4th Floor
Rockville, Maryland 20852
(301) 468-0307

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, United States mail, postage prepaid, to All Parties of Record, this 9th day of March, 1989.

Brad E. Mutschelknaus



**Southwestern Bell
Telephone**

One Bell Center 10 West
St. Louis, Missouri 63101
Phone (314) 235-9200

Regional Marketing

James R. Watts
District Manager
Regional Marketing
(Policy Equal Access)

February 9, 1989

Mr. George Vinall
Director, Product Development
National Telephone Services, Inc.
6100 Executive Boulevard
Rockville, MD 20852

Dear Mr. Vinall:

As you are aware, in his Order of December 23, 1988, the Honorable Judge Greene issued a ruling concerning the prerequisites for carriers wishing to participate in public telephone subscription. Specifically, Judge Greene ordered:

- "although state certification is not required of carriers participating in the presubscription process, no carrier may commence providing service from a presubscribed public-telephone unless it has been state certified to provide intrastate inter-LATA service or has made arrangements to transfer such calls to a certified carrier. If a carrier has not made suitable arrangements to service intrastate interLATA traffic by the time of implementation of the program, the public telephone shall be allocated as provided in the Regional Company plans."
- a carrier's eligibility to service public telephones may not be conditioned on an ability to provide international service, but it may be conditioned on the existence of an arrangement to transfer international traffic to a carrier capable of providing such service" (emphasis added).

Although it was not our intent to oversee the regulatory compliance of our Interexchange Carrier (IC) customers, Southwestern Bell Telephone Company (SWBT) fully intends to comply with the Court's Order to allocate the public telephones of any carrier lacking suitable arrangements to service intrastate interLATA traffic or to provide mechanized international calling. It will be the responsibility of the individual IC to provide SWBT with documentation to substantiate its eligibility to service public pay telephones. Please use the following attachments to provide SWBT with this documentation.

Attachment 1 -- Certification Confirmation Form:

For Arkansas, Kansas, Missouri, and Oklahoma participants only. If you have been certified to provide intrastate interLATA calling in one of the above states, complete Section A of this form. If you have made arrangements to transfer your intrastate interLATA traffic to a state certified carrier, complete Section B of this form. When completing Section B, please remember to include the certification information for the certified carrier you have selected to provide your intrastate interLATA calling. Use only one form per state.

Attachment 2 -- Texas Registration Confirmation Form:

For Texas participants only. If you have been registered in the state of Texas to provide intrastate interLATA calling, complete Section A of this form. If you have made arrangements to transfer your intrastate interLATA traffic to a registered carrier, complete Section B of the form. When completing Section B, please remember to include the registration information for the registered carrier you have selected to provide intrastate interLATA calling.

Attachment 3 -- Mechanized International Calling Form:

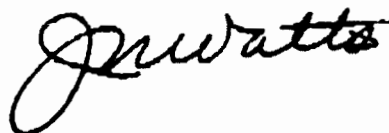
To be completed by all participants (one form per carrier). If you are capable of providing mechanized international calling, please fill out Section A of this form. Fill out Section B if you have made arrangements to transfer your international calls to a carrier capable of providing such service. Although not a criteria, SWBT anticipates that ICs will, in the public interest, also arrange live operator assistance for overseas calls when this service is required by a consumer.

For the offices converting in April, the above attachments must be received by Dave Clippard at the address indicated on the form as of March 15, 1989 for each state in which an IC is participating. For those offices converting in May, the above attachments must be received by Dave Clippard at the address indicated on the forms as of April 6, 1989. In order to proceed on schedule with our conversions, we will not be able to allow any extensions to the above dates.

Should any IC lack proof of its own certification (or suitable alternate arrangements as defined by the Court's December 23, 1988 Order) or the capability of providing mechanized international calls (or suitable alternate arrangements as defined by the Court's December 23, 1988 Order) as of the above dates, public pay telephones PIC'd to those carriers will be identified and allocated to IC's that are in compliance with the certification and mechanized international calling requirements. If allocation becomes necessary and the affected IC becomes certified to provide intrastate InterLATA or mechanized international calling (or obtains suitable alternative arrangements) at a later date, please be aware that we will be unable to identify and reassign the public pay telephones that were allocated to other ICs. It will be the individual IC's responsibility to renegotiate with the effected Premises Owner for subsequent reselection as the PIC.

If you have any questions regarding this letter, please contact your Account Manager or Dave Clippard on (314) 235-7235.

Sincerely,



Attachments

CC: CLAUDIA PINCH

STATE CERTIFICATION CONFIRMATION

Attachment 1

STATE: _____

COMPANY NAME: _____

CIC CODE: _____ ACNA: _____

A) Certification Confirmation:

As evidenced by my signature below, _____
(Company Name)
has been certified by the above state regulatory body to provide
intrastate interLATA call completion. Certification was obtained
in:

____ Docket Number _____ Order Number ____/____/____ Issue Date

B) Alternate Routing Confirmation:

As evidenced by my signature below, _____
(Company Name)

has entered into an agreement with _____
(Company Name)
for the purpose of providing intrastate interLATA call completion
from public pay telephones until such time as we achieve state
certification on our own to provide intrastate interLATA calling.
We understand that the provision of intrastate interLATA calling
by a certified carrier in the above state is a requirement for
servicing public pay telephones. Below is the docket number,
order number, and issue date of the state certification for the
carrier we have chosen to provide our intrastate interLATA
calling.

____ Docket Number _____ Order Number ____/____/____ Issue Date
-----_____
(Authorized Signature)_____
(Title)_____
(Contact Number)

Please return to:
Dave Clippard
Manager IC Business Relations
Southwestern Bell Telephone Co.
One Bell Center, Room 10-V-01
St. Louis, MO 63101-3099

TEXAS

COMPANY NAME: _____

CIC CODE: _____ ACNA: _____

A) Registration Confirmation:

As evidenced by my signature below, _____
(Company Name)
was registered in the state of Texas to provide intrastate
interLATA call completion on __/__/__ (date registration was
obtained).

B) Alternate Routing Arrangements

As evidenced by my signature below, _____
(Company Name)
has entered into an agreement with _____
(Company Name)
for the purpose of providing intrastate interLATA call completion
from public pay telephones located in Texas until such time as we
achieve state registration on our own to provide intrastate
interLATA calling. We understand that the the provision of
intrastate interLATA calling by a registered carrier in Texas is a
requirement for servicing public pay telephones. The above
carrier we have chosen to provide our intrastate interLATA calling
was registered in Texas on __/__/__.

(Authorized Signature)_____
(Title)_____
(Contact Number)

Please return to:
Dave Clippard
Manager IC Business Relations
Southwestern Bell Telephone Co.
One Bell Center, Room 10-V-01
St. Louis, MO 63101-3099

COMPANY NAME: _____

CIC CODE: _____ ACNA: _____

A) International Calling Capability Confirmation:

As evidenced by my signature below, _____
(Company Name)is capable of providing and will provide mechanized international calling capability from public pay telephones to all PTTs in the International Dialing Plan.

B) Alternate Routing Confirmation:

As evidenced by my signature below, _____
(Company Name)has entered into an agreement with _____
(Company Name)for the purpose of providing mechanized international calling from public pay telephones until such time as we can begin providing mechanized international calling on our own. We understand that the provision of mechanized international calling is a requirement of Southwestern Bell Telephone Company for servicing its public pay telephones.
-----_____
(Authorized Signature)_____
(Title)_____
(Contact Number)

Please return to:
Dave Clippard
Manager IC Business Relations
Southwestern Bell Telephone Co.
One Bell Center, Room 10-V-01
St. Louis, MO 63101-3099