

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 18th day of October, 2005.

In the Matter of Tariff No. 3 of Time Warner Cable Information Services (Missouri), LLC d/b/a Time Warner Cable))	<u>Case No. LT-2006-0162</u>
))	Tariff No. JL-2006-0231

**ORDER SUSPENDING TARIFFS
AND SCHEDULING PREHEARING CONFERENCE**

Issue Date: October 18, 2005

Effective Date: October 18, 2005

Syllabus: This order suspends the tariff filed by Time Warner Cable Information Services (Missouri), LLC d/b/a Time Warner Cable and sets a prehearing conference.

On September 23, 2005, Time Warner Cable filed tariff P.S.C. Mo. No. 3 to replace its P.S.C. Mo. Nos. 1 and 2. The tariff sheets bear an effective date of October 23, 2005.

On October 13, the Staff of the Commission filed a Motion to Suspend. According to Staff, the proposed tariff would allow Time Warner to offer customer-specific pricing for all of its telecommunications services. Such a tariff, according to Staff, would violate Sections 392.200.8, 392.220, 392.450. Furthermore, Staff contends that the tariff would violate the commitment Time Warner made in its application for a certificate of service authority to meet all relevant service standards, including, but not limited to billing, quality of service, and tariff filing and maintenance. Staff believes that the tariff is contrary to the

Commission's Report and Order granting Time Warner a certificate,¹ to Commission rules, and to Missouri law, and therefore objects to the tariff.

There is no evidentiary basis on which the Commission can decide to approve or reject the tariff. To allow sufficient time to study the effect of the proposed tariffs and establish an evidentiary record, the proposed tariffs will be suspended.

The Commission will suspend the tariff and schedule a prehearing conference to afford the parties the opportunity to discuss, define, and possibly resolve the issues presented. The Commission will also set a date for the filing of a proposed procedural schedule to ensure that this case progresses.

IT IS THEREFORE ORDERED:

1. That the proposed tariff sheets submitted on September 23, 2005, by Time Warner Cable Information Services (Missouri), LLC d/b/a Time Warner Cable, and assigned Tariff No. JL-2006-0231, are suspended for a period of 120 days plus six months beyond October 23, 2005, to August 20, 2006, or until otherwise ordered by this Commission.

2. That a prehearing conference shall be held on October 27, 2005, at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a building that meets accessibility standards of the Americans with Disabilities Act. Any person who needs specific accessibility accommodations may call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing. Any person who wishes to appear at the prehearing conference by phone shall call the Regulatory Law Judge at 573-751-7497 no later than October 24, 2005.

¹ Commission Case No. LA-2004-0133, Report and Order (March 2, 2004).

3. That the parties shall file a proposed procedural schedule no later than November 3, 2005. The procedural schedule shall include dates for the filing of testimony and for a hearing.

4. That this order shall become effective on October 18, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, Gaw, Clayton and Appling, CC., concur

Pridgin, Regulatory Law Judge