



Martha S. Hogerty
Public Counsel

State of Missouri

McI Carnahan
Governor

Office of the Public Counsel
Harry S Truman Building - Ste. 250
P.O. Box 7800
Jefferson City, Missouri 65102

Telephone: 573-751-4857
Facsimile: 573-751-5562
Relay Missouri
1-800-735-2966 TDD
1-800-735-2466 Voice

February 23, 1999

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED
FEB 23 1999
Missouri Public
Service Commission

RE: Southwestern Bell Telephone Company Section 271 Application
Case No.: TO-99-227

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case is the original and 14 copies of the **Office of the Public Counsel's Objections to Request to Make Opening Statement**. I have also on this date mailed and/or hand-delivered the appropriate number of copies to all counsel of record and other interested parties. Please "file" stamp the extra-enclosed copy and return it to this office. Thank you for your attention to this matter.

Very truly yours,

Michael F. Dandino
Senior Public Counsel

MFD:rjr

cc: Counsel of Record

Enclosure

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

FILED
FEB 23 1999
Missouri Public
Service Commission

In the Matter of the Application of Southwestern)
Bell Telephone Company to Provide Notice of)
Intent to File an Application for Authorization to)
Provide In-Region InterLATA Services)
originating in Missouri Pursuant to Section 271)
of the Telecommunications Act of 1996.)

Case No.: TO-99-227

**OFFICE OF THE PUBLIC COUNSEL'S OBJECTIONS TO
REQUEST TO MAKE OPENING STATEMENT**

COMES NOW the Office of the Public Counsel ("Public Counsel") and objects to the request of the Missouri Alliance of Area Agencies of Aging, Missouri Association for the Deaf, Missouri Council of the Blind, National Silver Haired Congress, National Counsel of Silver Haired Legislatures, Paraquad, and St. Louis Gateway SeniorNet to make an opening statement in this proceeding. The Public Service Commission ("Commission") has granted participation without intervention as requested by the organization who have among their membership utility customers. The Commission has provided these organizations with an adequate opportunity to comment on their interest by filing a brief. Given the number of intervenors who have filed testimony and will be actively participating in the hearing, the request should be denied. The broad umbrella of Public Counsel's representation of the consumer and the public in this proceeding provides for representation of these consumers. The Commission's grant of filing of a post-hearing brief provides the organizations with an adequate opportunity to present their views if Public Counsel does not, in their opinion, present their view point on the public interest. These organizations have not prior to this application sought to participate in any

100.

other telecommunications docket in recent years. They do not represent a unique and separate interest from all consumers.

WHEREFORE, Public Counsel objects to these organizations being allowed to make an opening statement and asks the Commission to deny their motion.

Respectfully submitted,

MARTHA S. HOGERTY

Public Counsel

By: 

Michael F. Dandino
Senior Public Counsel
Missouri Bar No. 24590

Office of the Public Counsel
301 West High Street, Box 7800
Jefferson City, MO 65102
Telephone: (573) 751-5559
Facsimile: (573) 751-5562

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, this 23rd day of February, 1999, to the counsel of record:

Penny G. Baker // David J. Stueven
General Counsel's Office
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

Richard S. Brownlee, III
Hendren and Andrae, L.L.C.
Riverview Office Center
221 Bolivar Street, Box 1069
Jefferson City, MO 65102

Paul S. DeFord
Lathrop & Gage, L.C.
2345 Grand Boulevard, Suite 2500
Kansas City, MO 64108-2684

Paul G. Lane // Anthony K. Conroy
Southwestern Bell Telephone Company
One Bell Center, Room 3520
St. Louis, MO 63101-1976

Carl J. Lumley // Leland B. Curtis
Curtis, Oetting, Heinz, Garrett & Soule
130 South Bemiston, Suite 200
St. Louis, MO 63105

Mark W. Comley
Newman, Comley & Ruth, P.C.
601 Monroe Street, Suite 301
Jefferson City, MO 65102-0537

Ronald Molteni // Mark E. Long
Assistant Attorneys General
Broadway State Office Building
221 West High Street, Box 899
Jefferson City, MO 65102

Mary Ann (Garr) Young
William D. Steinmeier, P.C.
2031 Tower Drive, Box 104595
Jefferson City, MO 65110-4595

Karl Zobrist // Christine Egbarts
Blackwell Sanders Peper Martin, L.L.P.
2300 Main Street, Suite 1100
Kansas City, MO 64108

Kenneth A. Schiffman // David Woodsmall
Sprint Communications Company, L.P.
8140 Ward Parkway, 5E
Kansas City, MO 64114

James M. Fischer, P.C.
Attorney at Law
101 West McCarty Street, Suite 215
Jefferson City, MO 65101

Charles Brent Stewart
Stewart & Keevil, L.L.C.
1001 Cherry Street, Suite 302
Columbia, MO 65201

Michael Ferry
Gateway Legal Services, Inc.
4232 Forest Park Avenue, Ste. 1800
St. Louis, MO 63108


