

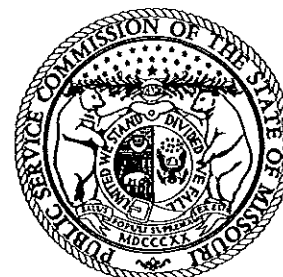
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Notice of *Ex Parte* Contact

TO: All Commissioners
All Parties in Case No. TO-2000-16

FROM: Chairman Sheila Lumpe

DATE: August 13, 1999



On August 3, 1999, I received the attached document from **J. Steve Weber**. The Commission is currently considering the same issues as to those set out in this document in Case No. **TO-2000-16**. The Commission is bound by the same *ex parte* rule as a court of law.

Pursuant to 4 CSR 240-4.020(4) it is improper for any person to attempt to sway the judgement of the Commission by undertaking, directly or indirectly, outside the hearing process, to bring pressure or influence to bear upon the Commission, or the Regulatory Law Judge assigned to the proceeding.

Whenever such contact might occur 4 CSR 240-4.020(a) states: as *ex parte* communications (either oral or written) may occur inadvertently, any member of the Commission or Regulatory Law Judge who received the communication shall immediately prepare a written report concerning the communication and submit it to the Chair and each member of the Commission. The report shall identify the person(s) who participated in the *ex parte* communication, the circumstances which resulted in the communication, the substance of the communication, and the relationship of the communication to a particular matter at issue before the Commission.

Therefore, out of an abundance of caution, I think it appropriate to submit this notice of *ex parte* contact pursuant to the standards set out in the rules cited above. This will ensure that any party to this case will have notice of the attached information and a full and fair opportunity to respond to the comments contained therein.

cc: Executive Director
Secretary/Chief Regulatory Law Judge
General Counsel



J. Steve Weber
State Director & Attorney
Law & Government Affairs

July 30, 1999

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AUG 03 1999

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The Honorable Sheila Lumpe, Chair
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102

Dear Commissioner Lumpe:

Adjudication Division
Public Service Commission

It been brought to my attention that there seems to be a great deal of confusion and misinformation regarding the toll services that AT&T Communications of the Southwest, Inc. (AT&T) is providing in Missouri.

Most importantly, I would like to clarify that AT&T is offering both intraLATA and interLATA toll services throughout the entire state. In all instances, the same AT&T services that were available prior to the decision to eliminate the PTC plan are available today throughout Missouri.

AT&T is offering 1+ intraLATA toll services in the exchanges served by Southwestern Bell Telephone, Sprint Missouri, Inc. and GTE Midwest, Inc. AT&T continues to offer intraLATA toll services using 10-10-288 in those areas as well.

In areas of the state served by the former Secondary Carriers, AT&T is offering intraLATA toll services on a dial around basis using 10-10-288. This is the same service that AT&T has provided in those exchanges since dial around competition was first authorized by this Commission. AT&T is still providing exactly the same service at the same rates that were in effect before the Primary Toll Carrier plan was eliminated. AT&T has done nothing to limit the availability of 10-10-288 dialing in Missouri. AT&T is aware that its decision not to offer 1+ intraLATA toll service has caused some customer confusion. However, AT&T is taking steps to alleviate the confusion by educating our customer service representatives and is in the process of identifying and, if necessary, notifying any customers whose one plus intraLATA order AT&T may have accepted in error. Beyond that, AT&T has communicated its 1+ intraLATA intentions quite clearly to affected local carriers, who AT&T expects will be forthright with their customers concerning AT&T's decision not to offer 1+ intraLATA toll service.

On the interLATA side, AT&T is still providing 1+ interLATA service throughout the entire state to both existing and new customers. AT&T is still offering interLATA toll services using 10-10-288 statewide as well.

Hopefully, this has clarified some of the confusion and misinformation about AT&T's recent actions. Should you have any questions, please do not hesitate to contact me.

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Sincerely,

AUG 16 1999

Steve Weber
J. Steve Weber

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION