

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Southwestern Bell	)	
Telephone, L.P. d/b/a	)	<b>Case No. IT-2007-0187</b>
AT&T Missouri's Revision to Its	)	
General Exchange Tariff,	)	<b>Tariff No. JI-2007-0260</b>
PSC Mo. No. 35, Regarding Provision	)	
of 811 Service	)	

## PUBLIC COUNSEL'S NOTICE OF WITHDRAWAL OF WITNESS AND PARTICIPATION IN THE CASE

The Office of the Public Counsel, after reviewing the statements of position of the parties, has decided not to participate in the case since the issue in the case does not have any direct effect on telecommunications customers of AT&T Missouri and the outcome of the case does not appear to have broad application to consumers. Therefore, Public Counsel will not actively participate in the hearing or in the case and withdraws Barbara Meisenheimer as its designated witness for the live hearing scheduled for Thursday, December 21, 2006.

The parties have identified the sole issue in the case as which party should pay for the 811 one call service relating to notice to a utility clearing house that an owner or contractor intends to dig so that the utilities can mark the location of their lines to prevent cutting or other damage to the lines. Based on the position statements, the question is whether the One Call group or AT&T pays for the service. The tariff does not force any utility or utility group to take the 811 service, but sets the price if a utility subscribes to it.

Since no party is proposing to assess end line utility customers for this service, Public Counsel does not believe it is necessary to participate in the case.

**Wherefore**, Public Counsel withdraws its witness and its participation in the hearing and case.

Respectfully submitted,

**OFFICE OF THE PUBLIC COUNSEL**

/s/ **Michael F. Dandino**

**BY:**

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Michael F. Dandino (Bar No. 24590)  
Deputy Public Counsel  
200 Madison Street, Box 2230  
Jefferson City, MO 65102  
Telephone: (573) 751-5559  
Facsimile: (573) 751-5562  
E-mail: [mike.dandino@ded.mo.gov](mailto:mike.dandino@ded.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was emailed this 19<sup>th</sup> day of December, 2006 to the following:

General Counsel  
**Missouri Public Service Commission**  
200 Madison Street, Suite 800  
Jefferson City, MO 65102  
200 Madison Street, Suite 800  
[GenCounsel@psc.mo.gov](mailto:GenCounsel@psc.mo.gov)  
[David.Meyer@psc.mo.gov](mailto:David.Meyer@psc.mo.gov)

Leo Bub  
Robert Gryzmala  
Paul Lane  
**AT&T Missouri**  
One AT&T Center  
St. Louis, MO 63101  
[leo.bub@att.com](mailto:leo.bub@att.com)  
[robert.gryzmala@att.com](mailto:robert.gryzmala@att.com)  
[paul.lane@att.com](mailto:paul.lane@att.com)

Mark W. Comley  
**Missouri One Call System, Inc.**  
P.O. Box 537  
601 Monroe Street, Suite 301  
Jefferson City, MO 65102  
[comleym@ncrpc.com](mailto:comleym@ncrpc.com)