



Missouri Public Service Commission

Area Code 314
751-3234

P.O. BOX 360
JEFFERSON CITY
MISSOURI 65102

October 22, 1982

Commissioners:

CHARLES J. FRAAS

Chairman

LEAH BROCK McCARTNEY

LARRY W. DORITY

JOHN C. SHAPLEIGH

CHARLOTTE MUSGRAVE

HARVEY G. HUBBS

Secretary

KENT M. RAGSDALE

General Counsel

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

Re: Case No. TR-82-199, In the matter of the filing by Southwestern Bell Telephone Company of new intrastate rates, tolls and charges applicable to intrastate telecommunication services furnished within the State of Missouri.

Dear Mr. Hubbs:

Enclosed for filing in the above-captioned case is an original and fourteen (14) conformed copies of a Joint Motion To Reopen Record For Receipt Of Late Filed Exhibit. Copies of said Joint Motion have been sent this date to all parties of record.

Very truly yours,

Steven Dottheim
Deputy General Counsel

SD:nh

enclosures

cc: All parties of record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the Filing of)
Southwestern Bell Telephone Company)
of new intrastate Rates, Tolls and) Case No. TR-82-199
Charges Applicable to Intrastate)
Telecommunication Services Furnished)
Within the State of Missouri)

JOINT MOTION TO REOPEN RECORD
FOR RECEIPT OF LATE FILED EXHIBIT

Comes now the Staff of the Missouri Public Service Commission (Staff) and Southwestern Bell Telephone Company (SWB) and jointly move the Missouri Public Service Commission (Commission) to re-open the record in the above-styled cause for the limited purpose of marking and receiving into evidence as late filed Exhibit 233 the three letters attached hereto, and as grounds therefore the two parties state as follows:

1. The last day of the hearing of the above-styled cause (Friday, October 8, 1982) was devoted primarily to the four Separations issues raised by the respective filings of SWB and Staff. One of these four Separations issues involved Staff's contention that SWB had not frozen the Subscriber Plant Factor (SPF) in compliance with the Federal Communications Commission (FCC) Decision and Order released February 26, 1982, in Docket No. 80-286.

2. During his opening remarks relative to the Separations issues, Staff counsel advised the Commission that Staff witness Dunkel had written to the FCC staff posing certain questions relative to his concern that SWB had not complied with the above-referenced FCC Decision and Order in freezing the SPF factor. Staff counsel proposed and SWB counsel agreed that in the event that Mr. Dunkel's inquiries were responded to prior to the November 23, 1982, true-up hearing scheduled in this cause, that Mr. Dunkel's letter or letters to the FCC staff and the response or responses thereto should be marked as a single exhibit and received as evidence in this cause. Staff and SWB counsel agreed on the record that a late filed exhibit number should be reserved for this purpose. Staff counsel suggested that the weight to be given the correspondence between Mr. Dunkel and the FCC staff would be a proper subject matter for briefing. (Tr. 3124-27)

3. However, in the press of trying these four complex Separations issues and addressing the numerous other matters that needed to be resolved on the final day of the hearing, counsel neglected to specifically request the hearing examiner to reserve a late filed exhibit number for the above described correspondence. Accordingly no such late filed exhibit number was specifically reserved although the intent of the Staff and SWB to produce this information for the Commission's consideration is clearly reflected in the record. (Tr. 3124-27)

4. By letter dated October 8, 1982 the August 19 and 30, 1982 correspondence of Mr. Dunkel was responded to by Gary M. Epstein, Chief of the Common Carrier Bureau of the FCC. Accordingly, Staff and SWB request that the following three letters be marked as Exhibit 233 and received as evidence in this cause:

- a) Letter of William Dunkel addressed to the Chief of the Common Carrier Bureau of the FCC dated August 19, 1982, consisting of 1 page;
- b) Letter of William Dunkel addressed to the Chief of the Common Carrier Bureau of the FCC dated August 30, 1982, consisting of 2 pages and attachments comprising 10 pages;
- c) Letter of Gary M. Epstein, Chief of the Common Carrier Bureau of the FCC addressed to William Dunkel and Associates dated October 8, 1982, consisting of three pages and a one page attachment.

5. Staff and Company's Motion to Re-Open the Record for the limited purpose of marking and receiving a late filed exhibit previously agreed to by Staff and Company on the record of this case is consistent with Commission Rule 4 CSR 240-2.110(24) which provides that parties may, after the conclusion of a hearing but before briefs are submitted, file with the Commission a request to re-open the record for the purpose of taking additional evidence.

WHEREFORE, Staff and SWB jointly move the Commission to reopen the record in the above entitled cause for the limited purpose

of marking and receiving into evidence late filed Exhibit 233 for the reasons recited above.

Respectfully submitted,

Staff of the Missouri Public
Service Commission

By Steven Dottheim
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Southwestern Bell Telephone Company

By James E. Taylor By SD
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CERTIFICATE OF SERVICE

I hereby certify that
copies of the foregoing
have been mailed or hand-
delivered to all parties of
record on this 32nd day of

October 19 82

Steven Dottheim