



Office of the Public Counsel

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James M. Fischer
Public Counsel

October 26, 1982

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

Re: Southwestern Bell Telephone Company,
Case No. TR-82-199

Dear Mr. Hubbs:

Enclosed for filing in the above-referenced case please find the original and fourteen copies of the Public Counsel's Response to Joint Motion to Reopen Record for Receipt of Late Filed Exhibit. I have on this day provided copies to all parties of record. Please "file" stamp the extra enclosed copy and return it to this office.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Martin J. Bregman".

Martin J. Bregman
Assistant Public Counsel

MJB:kl
Enclosures

cc: Parties of record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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

RESPONSE TO JOINT MOTION TO REOPEN
RECORD FOR RECEIPT OF LATE FILED EXHIBIT

Comes now the Office of the Public Counsel ("Public Counsel") and for its response to the joint motion of the Staff and Southwestern Bell Telephone Company ("Company") to reopen the record in the above-styled cause for the limited purpose of marking and receiving into evidence as late filed Exhibit No. 233 states as follows:

1. The recitation of fact contained in paragraphs 1 and 2 of the joint motion is an accurate statement of the occurrences relative to the joint motion.

2. At the time that Company and Staff indicated that a late filed exhibit be filed containing a response from the FCC staff to correspondence by Staff witness Dunkel, Public Counsel indicated that it was of the opinion that such an exhibit would be hearsay and objectionable on such grounds. (Tr. 3127-3128)

3. Public Counsel reasserts its objection to the proposed late filed exhibit on the ground that such exhibit would constitute hearsay, that such exhibit is the response of the FCC staff and not an opinion of the Federal Communications Commission.

WHEREFORE, Public Counsel requests the Commission to deny the joint motion of Staff and Southwestern Bell to reopen the record in the above-entitled cause for the limited purpose of marking and receiving into evidence late filed Exhibit No. 233 for the reasons recited above.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By Martin J. Bregman
Martin J. Bregman
Assistant Public Counsel
1014 Northeast Drive
Jefferson City, Missouri 65101

I hereby certify that a copy of the foregoing has been mailed or hand-delivered to all parties of record on this 26th day of October, 1982.

Martin J. Bregman