

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

In the Matter of Comments to	)	
The Federal Communications	)	Case No. _____
Commission on the Merger of	)	
AT&T and BellSouth	)	

**OFFICE OF THE PUBLIC COUNSEL’S MOTION TO OPEN CASE AND  
INVITE COMMENTS ON THE IMPACT OF THE AT&T/ BELLSOUTH  
MERGER ON MISSOURI**

The Office of the Public Counsel moves the Public Service Commission of Missouri to open a case for the purpose of receiving comments from interested parties on the impact of the merger of AT&T and BellSouth on Missouri and Missouri telecommunications customers to assist the Staff and Commission prepare comments to the Federal Communications Commission on the merger.

On May 11, 2006, the Commission discussed at its agenda session whether or not to file comments to the FCC on the pending merger of AT&T and BellSouth. The Staff was directed to prepare draft comments for the Commission’s review. A final decision on the submission of comments was not made.

Public Counsel suggests to the Commission that in preparation of these FCC comments it may be helpful to the Staff and to the Commission for interested parties in Missouri to submit comments on the impact, if any, the merger could have on the Missouri telecommunications industry, the customers, and the competitive environment as well as any implications for economic development. In particular, AT&T, the state’s largest telecommunications company and the Missouri based participant in the merger, should be encouraged to submit comments for the Staff’s and Commission’s review and

consideration. Public Counsel as the representative of consumers, especially residential and small business customers, would welcome the opportunity to file comments that may assist the Commission and its Staff with the FCC comments.

Public Counsel suggests that a case be opened to serve as the procedural vehicle for receiving comments without the necessity of formal intervention. Since the FCC has directed that interested parties must file comments or petitions to deny no later than June 5, 2006, and that responses or oppositions to such pleadings must be filed no later than June 20, 2006, Public Counsel suggests that comments to the Missouri Commission and Staff be filed not later than May 30, 2006 or at such time the Commission deems reasonable and appropriate.

WHEREFORE, Public Counsel requests a case be opened to receive comments from interested parties on the impact of the merger of AT&T and BellSouth on Missouri and Missouri telecommunications customers.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Michael F. Dandino**

BY: \_\_\_\_\_  
Michael F. Dandino (24590)  
Deputy Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102  
(573) 751-4857  
(573) 751-5559  
Fax (573) 751-5562  
email: [mike.dandino@ded.mo.gov](mailto:mike.dandino@ded.mo.gov)

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was mailed, emailed and/or hand delivered this 18<sup>th</sup> day of May, 2006 to the following attorneys of record:

General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
200 Madison Street, Suite 800  
Jefferson City, MO 65102  
GenCounsel@psc.mo.gov

Paul G. Lane MO # 27011  
Leo J. Bub MO # 34326  
Robert J. Gryzmala MO # 32454  
One AT&T Center, Room 3518  
St. Louis, MO 63101  
Leo.bub@att.com  
Attorneys for AT&T Missouri

/s/ Michael F. Dandino