



Missouri Telecommunications Industry Association

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President

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Missouri Public
Service Commission

Steven C. Reed, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

RE: Case No. AX-2010-0061

**In the Matter of the Office of Public Counsel's Petition for
Promulgation of Rules Relating to Billing and Payment
Standards for Residential Customers**

Dear Secretary Reed:

On behalf of the member companies¹ of our association, I am writing to express our concern regarding the above-captioned petition. The proposed new requirements are bad public policy, would harm competition, would impose unnecessary costs on telecommunications providers, would be contrary to the clear legislative intent of HB 1779, and are presented without supporting evidence as to need. We would urge the Commission to not act on this petition.

The documentation included in the petition presents no evidence that consumers are disadvantaged by the current billing practices of Missouri's regulated telecommunications companies. The only alleged evidence of a "problem" is a claim that AT&T Missouri charges \$2.49 to receive a paper bill. MTIA understands this claim to be incorrect and that there is no charge to receive a paper bill from AT&T Missouri.

Aside from this one incorrect allegation, other documentation consists only of anecdotal references taken from media headlines and web sites. Most of the documentation addresses the general practices of payday loan companies. If the business practices of these operations are cause for concern, the OPC should turn to the legislature as the appropriate arena to propose public policy changes.

As you well know, telecommunications is a very competitive market. In competitive industries, providers differentiate their services in a variety of ways including, but not limited to, billing arrangements, level of customer care and fee structures in addition to product choice, price and quality of service. The Commission should not determine which business models are acceptable or not acceptable. Consumers decide market winners and losers by seeking out the best service for the best price. This imperative drives both the level of service provided and the alternatives sought by consumers.

Additionally, the legislature recognized the increasingly competitive nature of the telecommunications industry last year when it crafted an explicit waiver from billing rules for telecommunications companies (HB 1779). Since the Commission no longer has the authority to impose billing rules on much of the telecommunications industry, OPC's petition should be rejected, at least to the extent it was meant to apply to telecommunications companies.

Of course, as noted in state statute, telecommunications carriers are still bound by the FCC's truth in billing rules that mandate clear and concise billing and prohibit deceptive billing practices.

Finally, I would request that the Commission grant at least thirty days from the date the petition was filed for interested persons to respond in more detail to the issues addressed in the petition before the Commission considers whether to act.

Thank you for considering our viewpoints on this issue and making them part of the public record.

Sincerely,



Richard Telthorst, CAE
President

C: Chairman Robert M. Clayton III
Commissioner Jeffrey Davis
Commissioner Kevin Gunn
Commissioner Terry M. Jarrett
Commissioner Robert S. Kenney
Office of the General Counsel
Michael Dandino, Office of the Public Counsel

¹ MTIA is a not-for-profit trade association that represents the interests of Missouri's telecommunications providers. Current member companies include: Alma Communications Company, AT&T Missouri, BPS Telephone Company, CenturyLink Companies of Missouri, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Citizens Telephone Company, Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Fairpoint Communications, Farber Telephone Company, Fidelity Telephone Company, Goodman Telephone Company, Granby Telephone Company, Grand River Mutual Telephone Cooperative, Green Hills Telephone Corporation, Holway Telephone Company, Iamo Telephone Corporation, Kingdom Telephone Company, KLM Telephone Company, Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, McDonald County Telephone Company, Miller Telephone Company, Missouri Network Alliance, MoKan Dial, Inc., New Florence Telephone Company, New London Telephone Company, Northeast Missouri Rural Telephone Company, Northwest Missouri Cellular, Orchard Farm Telephone Company, Oregon Farmers Mutual Telephone Company, Otelco, Inc., Ozark Telephone Company, Peace Valley Telephone Company, Inc., Rock Port Telephone Company, Seneca Telephone Company, Socket Telecom, LLC, Steelville Telephone Exchange, Inc., Stoutland Telephone Company, U.S. Cellular, Verizon Communications, Verizon Wireless and Windstream Communications.