

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

October 10, 2000

CASE NO: TC-2000-767

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 10th
day of October, 2000.

Stone County Emergency Services,)	
)	
Complainant,)	
)	
v.)	<u>Case No. TC-2000-767</u>
)	
GTE Midwest Incorporated and)	
Southwestern Bell Telephone Company,)	
)	
Respondents.)	

**ORDER GRANTING MOTION FOR LEAVE TO AMEND COMPLAINT AND FILE
FIRST AMENDED COMPLAINT**

On September 22, 2000, the Complainant, Stone County Emergency Services (Stone County) filed a Motion for Leave to Amend Complaint and File First Amended Complaint. Pursuant to 4 CSR 240-2.080(21), Stone County sought leave to amend its complaint by filing a First Amended Complaint. Stone County's motion indicates that it seeks leave to file an amended complaint because the other parties at the prehearing conference on August 10 expressed concern about the lack of specificity of the allegations in Stone County's Complaint. Stone County alleges that its First Amended Complaint does not create any new issues or controversies but instead attempts to clarify and provide greater specificity with respect to the issues and controversies between the parties. Stone County's First Amended Complaint was attached to its Motion for Leave to Amend Complaint.

On October 2, Southwestern Bell Telephone Company (SWBT) filed a response to Stone County's motion. SWBT disagrees with Stone County's representation that its amended complaint raises no new issues. SWBT

states that in Count III of the amended complaint, Stone County alleges that SWBT refuses to provide Stone County with a daily download of customer information. SWBT asserts that this is a new issue not raised in the previous complaint. Nevertheless, SWBT does not object to the Commission granting Stone County permission to amend its complaint, provided that Stone County fully responds to SWBT's pending data requests on or before October 17 and that the Commission grant SWBT fourteen days from the date that the Commission permits the filing of the amended complaint in which to file its answer to that amended complaint. No other party filed a response to Stone County's motion.

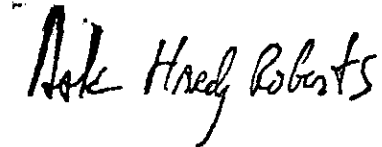
After considering Stone County's motion and SWBT's response to that motion, the Commission concludes that the motion should be granted. The Commission will allow all other parties an appropriate opportunity to answer Stone County's amended complaint. The Commission does not have sufficient information to require, as requested by SWBT, that Stone County answer specific data requests by a specific time. The Commission expects that Stone County will fully respond to all appropriate data requests, but, if SWBT is dissatisfied with Stone County's response, it may take appropriate action to bring its discovery dispute before the Commission for resolution.

IT IS THEREFORE ORDERED:

1. That Stone County Emergency Services' Motion for Leave to Amend Complaint and File First Amended Complaint is granted.
2. That the Respondents, GTE Midwest Incorporated and Southwestern Bell Telephone Company, shall file their answers to Stone County Emergency Services' First Amended Complaint no later than October 24, 2000.

3. That this order shall become effective on October 20, 2000.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive style with a large initial "D".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Murray, Schemenauer, and Simmons, CC., concur
Drainer, C, absent

Woodruff, Senior Regulatory Law Judge

Woodruff/Boye

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CASE NO.

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Chair

Commissioner

Continis

Commission

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OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 10th day of Oct. 2000.

Ask Hedy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

