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October 2, 2000



FILED

OCT 2 2000

Missouri Public
Service Commission

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
301 West High Street, Floor 5A
Jefferson City, Missouri 65101

Re: Case No. TC-2000-767

Dear Judge Roberts:

Enclosed for filing with the Commission in the above-referenced case is an original and eight copies of Southwestern Bell Telephone Company's Response to Stone County Emergency Services' Motion for Leave to Amend Complaint and File First Amended Complaint.

Thank you for bringing this matter to the attention of the Commission.

Very truly yours,

Mimi B. MacDonald /tm

Mimi B. MacDonald

Enclosure

cc: Attorneys of Record

BEFORE THE PUBLIC SERVICE COMMISSION
FOR THE STATE OF MISSOURI

FILED
OCT 2 2000

Missouri Public
Service Commission

Stone County Emergency Services,)
)
Complainant,)
)
v.)
)
GTE Midwest Incorporated and)
Southwestern Bell Telephone Company,)
)
Respondents.)

Case No.: TC-2000-767

SOUTHWESTERN BELL TELEPHONE COMPANY'S
RESPONSE TO STONE COUNTY EMERGENCY SERVICES'
MOTION FOR LEAVE TO AMEND COMPLAINT AND
FILE FIRST AMENDED COMPLAINT

COMES NOW Southwestern Bell Telephone Company ("SWBT") and, for its Response to Stone County Emergency Services' Motion for Leave to Amend Complaint and File First Amended Complaint, states as follows:

1. On September 22, 2000, Stone County Emergency Services ("Stone County") filed its Motion for Leave to Amend Complaint and File First Amended Complaint ("Motion").
2. In Stone County's Motion, Stone County states that: (a) the Complaint in this matter was originally filed by attorney Mark Rundel on or about May 17, 2000; and (b) GTE Midwest Incorporated ("GTE") and SWBT filed responsive pleadings thereto.
3. In Stone County's Motion, Stone County also states that on or about August 10, 2000, Stone County, GTE, and SWBT appeared before the Commission for a pre-hearing conference and that the Commission granted Stone County leave to amend its Complaint by Interlineation ("Stone County's Amended Complaint"). Additionally, Stone County states that SWBT filed a responsive pleading thereto.
4. Further, in Stone County's Motion, Stone County states that on August 10, 2000, following the pre-hearing conference, Stone County, GTE, SWBT, the Office of Public Counsel,

and the Staff of the Missouri Public Service Commission met. At this meeting, multiple parties expressed concern about the lack of specificity of Stone County's Complaint. Complainant, therefore, seeks leave to file an Amended Complaint pursuant to 4 CSR 240-2.080(21).

4. In Stone County's Motion, Stone County alleges that its First Amended Complaint does not create any new issues and or controversies between the parties but instead attempts to clarify and provide greater specificity with respect to the issues and controversies between the parties.

5. At the outset, SWBT notes that Stone County fails to explain why it took from August 10, 2000, until September 22, 2000, to file its Motion and First Amended Complaint. Additionally, SWBT disagrees with Stone County's mischaracterization that the First Amended Complaint does not create any new issues or controversies between the parties. In Count III of Stone County's First Amended Complaint, Stone County alleges that SWBT refuses to provide Stone County with a daily download of customer information consisting of customer lines that have been disconnected or connected that day. Although Stone County has requested this download from SWBT, the allegations contained in Count III were neither part of Stone County's Complaint nor Stone County's Amended Complaint.

6. SWBT, nevertheless, does not object to the Commission granting Stone County's Motion provided: (a) Stone County fully responds to pending data requests on or before October 17, 2000; and (b) the Commission grants SWBT fourteen (14) days from the date of any Order granting Stone County leave to amend Complaint and file First Amended Complaint to file its Answer to Stone County's First Amended Complaint. If Stone County is unable to respond to SWBT's pending data requests on or before October 17, 2000, it may be necessary to extend the date upon which Responses to Staff's Report are due (currently October 23, 2000).

Wherefore, Southwestern Bell Telephone Company prays that if the Commission grants Stone County Emergency Services' Motion for Leave to Amend Complaint and File First Amended Complaint, the Commission requires Stone County Emergency Services to fully respond to SWBT's pending data requests on or before October 17, 2000, and allows Southwestern Bell Telephone Company fourteen (14) days to file its Answer to Stone County Emergency Services' First Amended Complaint.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

By Mimi B. MacDonald / TM

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CERTIFICATE OF SERVICE

A copy of this was served on the following parties by first-class, postage prepaid, U.S. Mail on October 2, 2000.

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