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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 21st
day of October, 1999.

In the Matter of the Motion to Establish)
a Docket Investigating the IntraLATA Toll)
Service Provisioning Practices of Missouri)
Interexchange Carriers, Public Utility or) Case No. TO-2000-16
Common Carrier Duties of Interexchange)
Carriers, Motion to Show Cause, Request)
for Emergency Hearing, and Alternative)
Petition for Suspension and Modification.)

ORDER DENYING MOTION FOR RECONSIDERATION

On August 10, 1999, the Commission issued an order in which it, *inter alia*, ordered the Commission's Staff to investigate AT&T's refusal to serve customers in Secondary Carrier (SC) exchanges and ordered AT&T Communications of the Southwest, Inc. (AT&T) to file a report containing certain information, if available, to the Commission. On August 23, 1999, AT&T filed a motion for reconsideration of certain aspects of the Commission's order. 4 CSR 240-2.160(1) states that motions for reconsideration shall be filed within ten days of the date the order is issued, unless otherwise ordered by the Commission. The Commission could reject the motion for reconsideration because it was not filed in accordance with the Commission's rules. However, the Commission will address the arguments AT&T raises.

AT&T appears generally critical of the Commission's decision to conduct any investigation, and it is not entirely clear which aspects of the Commission's order it wants reconsidered and which aspects it is simply criticizing. It appears to request reconsideration of just three specific points: the Commission's decision not to investigate all IXC's; the Commission's direction to AT&T to report certain data; and the Commission's direction to Staff to report on AT&T's facilities throughout the state. The Commission will address each of these points.

AT&T requests that "the Commission expand the scope of the investigation to include all IXC's and LEC's certificated to provide intraLATA toll service Missouri [sic]." In its August 10 order, the Commission decided that the allegations made by the Mid-Missouri Group (MMG) of small telephone companies¹ did not require an investigation into the business office practices of all Interexchange Carriers (IXC's). AT&T, in its motion for reconsideration, did not raise any additional allegations about the business office practices of other IXC's or LEC's that would lead the Commission to reconsider that decision. AT&T's motion to reconsider this decision will be denied.

¹ MMG consists of Alma Telephone Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, Modern Telecommunications Company, MoKan Dial, Inc., Northeast Missouri Rural Telephone Company, and Peace Valley Telephone Company.

AT&T asks that the Commission reconsider its order directing AT&T to report certain data to the Commission. The Commission recognized that AT&T might not have been collecting the data, and ordered AT&T to provide its best approximation if the data was not kept. AT&T was not ordered to produce data it does not have, and so there is no reason to reconsider the order on this point. AT&T's motion to reconsider this decision will be denied.

For the final point it wants reconsidered, AT&T states that the report Staff was ordered to provide concerning AT&T available facilities to serve new customers would contain sensitive information. Staff filed its report on August 9, 1999, and that report contained no sensitive information about AT&T's facilities. AT&T's request to have this point reconsidered is moot. AT&T's motion to reconsider this decision will be denied.

IT IS THEREFORE ORDERED:

1. That the Motion for Reconsideration filed by AT&T Communications of the Southwest, Inc. on August 23, 1999 is denied.
2. That this order shall become effective on October 21, 1999.

BY THE COMMISSION

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Mills, Deputy Chief Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION