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Case No. TO-2000-293

ORDER GRANTING MOTION TO ACCEPT LATE-FILED ANNUAL REPORT

Pursuant to Missouri Public Service Commission (Commission) Rule 4 CSR 240-10.080, "[a]ll public utilities subject to the jurisdiction of the Missouri Public Service Commission shall file an annual report with the commission on or before April 15 of each year." On October 20, 1999, GTE Telecommunications Services, Inc. (GTE-TSI) filed a motion to accept its late-filed annual report. Attached to the motion was its annual report for the year 1998.

GTE-TSI stated in its motion that on or about October 8, 1999, it attempted to file its 1998 annual report. However, GTE-TSI stated, on October 13, 1999, the records department of the Commission returned the annual report, stating that GTE-TSI was required to make a formal filing through counsel since the annual report was being filed out of time.

GTE-TSI stated that on May 4, 1999, it filed an application for cancellation of its certificate and tariff since it had ceased or was ceasing its interexchange reseller operations in Missouri. GTE-TSI

stated that on June 22, 1999, the Commission in case number TD-99-542 issued its order canceling the certificate and tariff for GTE-TSI.

GTE-TSI stated that it was closing its operations in various states during the years 1998 and 1999, and, because of this, it was unable to prepare and file its 1998 annual report required by the Commission.

GTE-TSI stated that, while its certificate and tariff in Missouri were not canceled until June 22, 1999, it had no Missouri operations for the period January 1, 1999, through June 22, 1999. GTE-TSI stated that in the interest of judicial economy and paperwork reduction, and since the Commission may find it necessary to issue an order with regard to its 1998 late-filed annual report, it was requesting in advance that the Commission in such order consider relieving it from its obligation to file a 1999 annual report.

On December 10, 1999, the Staff of the Commission (Staff) filed a memorandum recommending that both requests by GTE-TSI be approved. Staff stated that annual report forms are sent to the various utilities in January based on the utilities operating in the state during the previous year. Staff stated that since GTE-TSI had no Missouri operations for the period January 1, 1999 through June 22, 1999, when its certificate and tariff were canceled by the Commission, that the Staff believes that GTE-TSI would not have to file a 1999 annual report.

The Commission determines that the motion for extension should be granted and also determines that the motion for relief from filing a 1999 annual report should be granted.

IT IS THEREFORE ORDERED:

1. That GTE Telecommunications Services, Inc. is granted a waiver of the annual report deadline requirement of Commission Rule 4 CSR 40-10.080 and the late filing of its 1998 annual report with the Commission is accepted.

2. That GTE Telecommunications Services, Inc. is granted a waiver of the annual report filing requirement of Commission Rule 4 CSR 40-10.080 for its 1999 annual report.

3. That this order shall become effective on December 14, 1999.

4. That this case may be closed on December 15, 1999.

BY THE COMMISSION



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant to
4 CSR 240-2.120(1), (November 30, 1995)
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 14th day of December, 1999.

R E C E I V E D

DEC 4 1999

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION