

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

**June 15, 2000**

**CASE NO: TE-2000-733**

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Jefferson City, MO 65101

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

**Sincerely,**

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

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

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of the Request of TON       )  
Services, Inc. for an Extension of       ) Case No. TE-2000-733  
Time to file an Annual Report       )

**ORDER REQUIRING FILING**

Pursuant to Commission Rule 4 CSR 240-10.080(1), "[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<sup>1</sup>."

On May 4, 2000, TON Services, Inc. (TON) filed with the Missouri Public Service Commission (Commission) its 1999 annual report and its request to extend the filing date for its annual report.

TON stated that it was a certificated interexchange carrier in Missouri. As a telecommunications utility subject to the jurisdiction of the Commission, TON noted that it was required to file annual reports with the Commission each year by April 15. TON stated that although it had made diligent efforts to complete its 1999 annual report for submission by April 15, 2000, it was not able to file a complete and accurate annual report by that date. TON stated that it attempted to

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<sup>1</sup> April 15, 2000, was on a Saturday, thus effectively making the due date the following Monday, i.e., April 17, 2000.

file its annual report on April 21, 2000, but the document was returned to it by the Commission.

TON requested, pursuant to Commission Rule 4 CSR 240-10.080(8), that the Commission grant its motion for leave to file its annual report out of time and accept its 1999 annual report.

TON gave no reason for the late filing of its 1999 annual report.

Commission Rule 4 CSR 240-10.080(8) states, in part: "A utility which is unable to meet the filing date [of April 15]...shall make a written request to extend the filing date for its annual report...and state the reason for the extension request." TON did not comply with Commission Rule 4 CSR 240-10.080(8) in that its motion did not state a reason why it could not file its annual report until May 4, 2000.

The Commission will require TON to file a supplemental pleading, explaining why it could not file its annual report pursuant to Commission Rule 4 CSR 240-10.080(8) until May 4, 2000.

**IT IS THEREFORE ORDERED:**

1. That TON Services, Inc. shall file a supplemental pleading, no later than 3:00 p.m. on July 5, 2000, explaining why it could not file its annual report pursuant to Commission Rule 4 CSR 240-10.080(8) until May 4, 2000.

2. That this order shall become effective on June 26, 2000.

**BY THE COMMISSION**

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**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 15th day of June, 2000.

**STATE OF MISSOURI  
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 15<sup>th</sup> day of June 2000.

*Dale Hardy Roberts*

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

