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

In the Matter of the Application of )
Southwestern Bell Telephone Company ) Case No. TM-2000-738
for Authority to Transfer Certain Support )
Assets to SBC Management Services Inc. )

## ORDER REQUIRING FILING

On May 4, 2000, Southwestern Bell Telephone Company, (SWBT) filed with the Missouri Public Service Commission (Commission) an application for approval to transfer certain assets to SBC Management Services, Inc. (SBC-MSI). The assets, according to the application, would be support assets, consisting of assets located in Missouri and used by SWBT attorneys and other legal department support personnel to provide legal services to SWBT.

On the same day, SWBT also filed a motion to expedite the review and approval of its application. This motion did not comply with the Commission's rules.

Commission Rule 4 CSR 240-2.080(3) states, in part: "Each pleading shall include a...specific reference to the statutory provision or other authority under which relief is requested." SWBT's motion did not comply with Commission Rule 4 CSR 240-2.080(3) in that it did not include a specific reference to the statutory provision or other authority under which relief was requested.

Commission Rule 4 CSR 240-2.080(17) states, in part:

Any party seeking expedited treatment in any case shall include in the title of the pleading the words "Motion for Expedited Treatment." The pleading shall also set out with particularity the following:...(B) The harm that will be avoided, or the benefit that will accrue, including a statement of the negative effect, or that there will be no negative effect, on the party's customers or the general public, if the commission acts by the date desired by the party; and (C) That the pleading was filed as soon as it could have been or an explanation why it was not.

SWBT's motion did not comply with that part of Commission Rule 4 CSR 240-2.080(17) cited above, in that the words "Motion for Expedited Treatment" were not included in the title of the pleading; the pleading did not state with particularity the harm that will be avoided, or the benefit that will accrue, including a statement of the negative effect, or that there will be no negative effect, on the party's customers or the general public, if the Commission acts by the date desired by the party; and a statement that the pleading was filed as soon as it could have been or an explanation why it was not.

SWBT will be ordered to file a supplemental pleading correcting these deficiencies.

## IT IS THEREFORE ORDERED:

- 1. That Southwestern Bell Telephone Company shall file, no later than 3:00 p.m. on May 22, 2000, a supplemental pleading which includes a specific reference to the statutory provision or other authority under which it requested relief in its motion to expedite the review and approval of its application to transfer assets.
- 2. That Southwestern Bell Telephone Company shall file, no later than 3:00 p.m. on May 22, 2000, a supplemental pleading which

includes the words "Motion for Expedited Treatment" in the title of the pleading; which contains statements made with particularity concerning the harm that will be avoided, or the benefit that will accrue, including a statement of the negative effect, or that there will be no negative effect, on the party's customers or the general public, if the Commission acts by the date desired by the party; and which contains a statement that the pleading was filed as soon as it could have been or an explanation why it was not.

3. That this order shall become effective on May 22, 2000.

BY THE COMMISSION

Hole Hord Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(SEAL)

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 11th day of May, 2000.