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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 19th
day of September, 1983.

CASE NO. TO-83-304

In the matter of the investigation
into mobile telephone service and
radio paging service.

ORDER

On March 31, 1983, the Commission instituted this docket by the issuance of its Order Initiating Investigation. Therein the Commission noted that for some years it has exercised jurisdiction over mobile telephone and radio paging service pursuant to Chapters 386 and 392, RSMo 1978, as amended. As a result of recent requests from mobile telephone and radio paging companies to allow detariffing of equipment, the Commission deemed it appropriate to allow all interested parties to file their written comments on: (1) whether mobile telephone and radio paging equipment should be detariffed; and (2) whether mobile telephone and radio paging service should be detariffed.

Notice of the Commission Order was served upon all mobile telephone and radio paging service companies as well as all other telephone companies in the state and the Office of Public Counsel.

The following entities have filed comments in response to the Commission's Order: Radiophone of Sedalia, Inc., Mobilpage, Inc., Atlas Mobilfone, Gencom, Inc., MCI Airsignal, Inc., Continental Telephone Company of Missouri, Mid-Missouri Mobilfone, Central Telephone Company of Missouri, CyberTel Missouri Corporation, Advanced Mobile Phone Service, Inc., General Telephone Company of the Midwest, Southwestern Bell Telephone Company, and the Staff of the Missouri Public Service Commission.

Having reviewed all comments filed in this investigatory docket, the Commission is of the opinion that movement toward the detariffing of both equipment and service for radio paging and mobile telephone operations is appropriate on a case-by-case basis, particularly given the fact that the resulting competition may lead to lower rates. To this end the Commission is hereby announcing its intent to permit pricing flexibility where it can be established that the level of competition is sufficient to ensure that the market will set just and reasonable rates. The Commission does not mean to imply that it will be unnecessary to file appropriate tariffs, nor that said tariffs will not be subject to Commission scrutiny.

The Commission believes that upon showing sufficient competition exists in a company's service area, it might conclude that a company be allowed to withdraw its existing tariffs or file new tariffs reflecting competitive rates, e.g., minimum rates, maximum rates or minimum and maximum rates.

In furtherance of the above-mentioned policy, the Commission believes that it will be necessary to begin relaxing the standards traditionally applied in examining applications for authority to provide radio paging and/or mobile telephone service in the State of Missouri.

Having announced its policy with respect to the matters being investigated in this docket, the Commission is of the opinion that there is nothing further to be accomplished herein.

It is, therefore,

ORDERED: 1. That the Secretary of the Commission shall serve a copy of this Order on all mobile telephone and radio paging service companies, telephone companies and the Office of Public Counsel.

ORDERED: 2. That the Secretary of the Commission shall send notice of this Order to the publisher of each newspaper in Missouri, as listed in the newspaper directory of the current Official Manual of the State of Missouri, and to all members of the General Assembly.

ORDERED: 3. That Docket No. TO-83-304 be, and the same is, hereby closed.

ORDERED: 4. That this Order shall become effective on the 19th day of
October, 1983.

BY THE COMMISSION



Harvey G. Hubbs
Secretary

(S E A L)

Shapleigh, Chm., Dority, Musgrave
and Mueller, CC., Concur.
Hendren, C., Absent.