

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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Missouri Public
Service Commission

In the Matter of Proposed)
Rule 4 CSR 240-2.045)

Case No. AX-2002-156

COMMENTS OF SOUTHWESTERN BELL TELEPHONE, L.P.
REGARDING PROPOSED RULE 4 CSR 240-2.045

COMES NOW Southwestern Bell Telephone, L.P., d/b/a Southwestern Bell Telephone Company (SWBT), and for its Comments Regarding Proposed Rule 4 CSR 240-2.045, Electronic Filing, states to the Missouri Public Service Commission (Commission) as follows:

1. The Commission has proposed a new rule, 4 CSR 240-2.045, which addresses "Electronic Filing" of documents with the Commission. The proposed new rule provides as follows:

4 CSR 240-2.045 Electronic Filing

PURPOSE: This rule prescribes the procedure for electronic filing before the Commission.

(1) Any item or document otherwise required or permitted to be filed with the commission may be filed electronically by accessing the commission's Internet web site and following the instructions for electronic filing found there.

(2) Any item or document filed electronically shall, if received during business hours of the commission's records room, be considered filed as of that day, otherwise, such item or document shall be considered filed as of the next following business day.

(3) The electronic filing of an item or document as described in this rule shall satisfy an obligation to file the same if accomplished no later than the date upon which such filing is required.

2. SWBT supports the concept of electronic filing of pleadings, testimony and related documents with the Commission. Electronic filing, if implemented

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appropriately, should result in greater efficiencies, both for the parties appearing before the Commission and the Commission itself.

3. SWBT does not support the proposed Electronic Filing rule as currently drafted, however. SWBT does not believe that the rule, as proposed, contains enough detail with respect to how the electronic filing process will actually work, once implemented. For example, the proposed rule contains no explanation of how documents requiring a verification or affidavit can be electronically filed, if at all. The proposed rule simply references the Commission's web site and instructs parties that electronic filing may be accomplished by "following the instructions for electronic filing found there." While SWBT appreciates that a rule referring to the Commission website affords the Commission maximum flexibility with respect to the procedures to be implemented for electronic filing, the lack of any details regarding how this process will work makes it very difficult for SWBT to support the rule as currently proposed. This is particularly true where the Commission's website currently does not contain any instructions relating to electronic filing, which would at least give parties an idea of how the Commission intends to implement the electronic filing process.

4. As described above, SWBT supports the implementation of electronic filing with the Commission, and would support a rule which contains a sufficiently detailed description of the processes that will be implemented to permit electronic filing. SWBT does not believe the current proposed rule contains sufficient detail, however.

WHEREFORE, SWBT respectfully requests that the Commission not adopt Rule 24002.040, Electronic Filing, as currently proposed by the Commission. Instead, the Commission should propose a revised rule which sets forth in detail the procedures the

Commission will implement to permit the parties to file documents, pleadings, etc. with the Commission, as described herein.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE L.P.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were served to all parties on the Service List by first-class, postage prepaid, U.S. Mail or via hand-delivery on February 15, 2002.

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