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JAN 3 1989

MO. PUBLIC SERVICE COM. DIV.

PHILIP R. NEWMARK

SAMUEL WHITE (1917-1958)
LOUIS WHITE (1922-1967)
IRWIN WHITE (1932-1963)

December 30, 1988

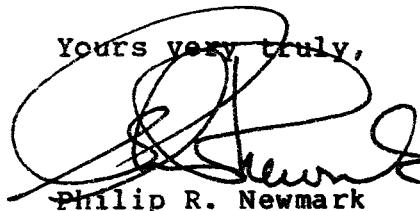
Mr. Harvey G. Hubbs
Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

RE: Case No. TA-88-218 et al

Dear Mr. Hubbs:

Enclosed is the original and fourteen copies of the Reply
Brief of Midwest Independent Coin Payphone Association to
be filed in accordance with law.

Yours very truly,



Philip R. Newmark

PRN:lw

Enclosures

cc: All parties of record

FILED
JAN 3 1989
PUBLIC SERVICE COMMISSION

CR;

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

In the matter of the)
application of American Operator)
Services, Inc. for a certificate)
of service authority to provide) Case No. TA-88-218
Intrastate Operator-Assisted)
Resold Telecommunications)
Services.)

In the matter of Teleconnect)
Company for authority to file)
tariff sheets designed to) Case No. TR-88-282
establish Operator Services)
within its certificated service)
area in the State of Missouri.)

In the matter of Dial U.S. for)
authority to file tariff sheets)
designed to establish Operator) Case No. TR-88-283
Services within its certificated)
service area in the State of)
Missouri.)

In the matter of Dial U.S.A.)
for authority to file tariff)
sheets designed to establish) Case No. TR-88-284
Operator Services within its)
certificated service area in)
the State of Missouri.)

In the matter of International)
Telecharge, Inc. for authority)
to file tariff sheets designed) Case No. TR-89-6
to establish Operator Services)
within its certificated service)
area in the State of Missouri.)

REPLY BRIEF OF INTERVENOR
MIDWEST INDEPENDENT COIN PAYPHONE ASSOCIATION

In its Reply Brief Midwest Independent Coin Payphone Association referred to as MICPA would like to direct its concerns to the issues of what requirement or regulatory conditions should be imposed upon the applicants herein as a condition of approval of their applications.

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PUBLIC SERVICE COMMISSION

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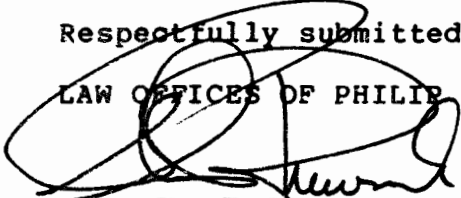
With all due respect to the staff of the Public Service Commission, it would appear that their position is somewhat contradictory in its terms. In their testimony and in their Initial Brief it is stated, and we agree ". . . if the Commission desires to promulgate regulations applicable to and binding on all operator service providers in Missouri, a formal rule making proceeding clearly will be required" (Initial Brief page 2). Imposing rules and regulations on these applicants, which are not presently required on other operator service providers, would diminish competition by not providing a "level playing field" that is so commonly spoken of by all. Additionally, it would appear also to be discriminatory and unlawful. The approval of the applications of AOSI and the others should only be conditioned on their ability to physically and financially provide the services it seeks to provide on the same basis as other operator service providers do and that the tariffs offered should only be subject to the same scrutiny and requirements as are other operator services, and if found reasonable the applications and tariffs should be approved.

MICPA agrees generally with staff's recommendations concerning regulations or requirements that should be imposed upon competitive operator service providers. MICPA does quarrel with some, for reasons specified hereinafter, and believes that the problems with those recommendations can only be resolved in a separate rule making hearing.

Testimony on file and during the hearing, showed that the technology needed to implement some of the staff's recommendations were either not presently available or only available at substantial cost. In particular was the recommendation of the separation out of various charges made by operator services and host facilities, i.e. hotel, motel, or other institutions and COCOT owners. The benefits to the consumer public will need to be weighed against the cost of providing or fulfilling those requirements. In addition the entire issue of surcharges, a very substantial concern of MICPA, were not fully or substantially developed. The foregoing is merely by way of illustration of some of our concerns and is not intended to be exclusive or exhaustive. MICPA submits that there was insufficient evidence regarding the technical feasibility, economic cost and impact, and reasonableness of staff's proposed requirements for the Commission to make an informed judgment. It is urged that the Commission approve the applicants request without imposing any requirements upon them that are not already imposed upon other operator providers and that before any rules or regulations be imposed on operator service providers that a separate rule making docket be promptly convened for that purpose.

Respectfully submitted,

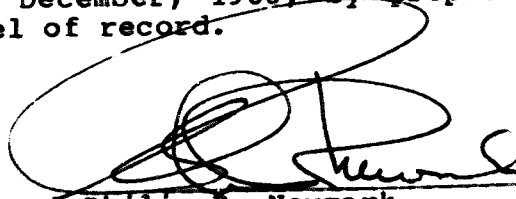
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was mailed this 30th day of December, 1988, by prepaid United States mail to all counsel of record.



Philip R. Newmark