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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Southwestern)
Bell Telephone Company for Designation as an) Case No. TO-98-191
Eligible Telecommunications Carrier Pursuant to)
47 U.S.C. Sections 214(e) and 254.)
)

ORDER AND NOTICE

Southwestern Bell Telephone Company (SWBT) filed an application on November 7, 1997, requesting designation as an eligible telecommunications carrier pursuant to Sections 214(e) and 254 of the Telecommunications Act of 1996. SWBT, an incumbent local exchange carrier, asked the Commission to designate it as a telecommunications carrier eligible to receive federal universal service support. Beginning on January 1, 1998, any carrier that is eligible for universal service support must provide the services that are supported by federal universal support mechanisms as described in 47 C.F.R. Section 54.101, using its own facilities at least in part. The carrier must also advertise the availability of those services and the charges for them using media of general distribution. 47 C.F.R. § 54.201(d). Where a telecommunications carrier is otherwise eligible for universal service support it may request additional time to complete the network upgrades necessary to provide single-party service, access to enhanced 911 service, or toll limitation. 47 C.F.R. § 54.101(c). The Commission may grant a request for additional time on a showing of exceptional circumstances and only for the period of time the Commission deems necessary to complete the upgrades. *Id.* Because funding will become available under these conditions in January of 1998, SWBT has asked the

Commission to make a determination of eligibility no later than December 31, 1997.

SWBT states that it provides all the services supported by federal universal service with the exception of one aspect of toll limitation - toll control. SWBT states that it does not currently have the technical capability to provide toll control for qualifying low income consumers, as defined in 47 C.F.R. Section 54.400. SWBT asks the Commission to certify it to be an eligible carrier and grant it additional time to complete the upgrades necessary to supply this service.

The Commission finds that proper parties should be given notice and an opportunity to intervene in this matter. Because this matter must be handled expeditiously, parties will be allowed only until December 1 to file an application to intervene. The Records Department of the Commission shall send a copy of this order to all certificated Missouri local exchange and interexchange carriers. Applications to intervene should be submitted to the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies sent to:

Anthony K. Conroy, Attorney
Southwestern Bell Telephone Company
100 North Tucker Boulevard, Room 630
St. Louis, Missouri 63101-1976

IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send copies of this order to all local exchange and interexchange telecommunications carriers.

2. That any interested party wishing to intervene shall file an application to intervene with the Executive Secretary of the Missouri

Public Service Commission and serve a copy on Southwestern Bell Telephone Company's representatives no later than December 1, 1997.

3. That this order shall become effective on November 14, 1997.

BY THE COMMISSION



**Cecil I. Wright
Executive Secretary**

(S E A L)

L. Anne Wickliffe, Deputy Chief
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 14th day of November, 1997.