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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 21st  
day of September, 1999.

In the Matter of the Petition of Lathrop )  
Telephone Company for Approval of an IntraLATA ) Case No. TO-99-512  
Dialing Parity Plan )

ORDER REGARDING PETITION FOR MODIFICATION

On August 31, 1999, Lathrop Telephone Company (Lathrop) filed a petition for modification of its IntraLATA Dialing Parity (ILDPA) plan. Lathrop stated that it wanted to modify its ILDP plan because the plan it proposed and the Commission approved would assign customers who did not choose a primary interexchange carrier (PIC) for intraLATA toll service to their interLATA carrier, and because AT&T is the interLATA PIC for many of its customers. Lathrop stated that, under the plan it proposed, it is concerned that a number of customers might be defaulted to a 101XXXX dialing pattern. Lathrop requests that the Commission allow it to modify its plan so that customers who have not chosen a PIC for intraLATA toll service by October 20, 1999, will be assigned to its long distance affiliate (Grand River Communications d/b/a Lathrop Long Distance) rather than to their interLATA carrier. Lathrop also requested that the Commission authorize it to send a notification letter (a copy of which it attached to its petition) explaining the modification to its customers.

A number of secondary carriers (SCs) proposed ILDP plans that assigned customers who did not choose a PIC to a long distance affiliate of the SC, and the Commission approved these plans. (See, e.g., TO-99-514, In the Matter of the Petition of Mark Twain Rural Telephone Company for Approval of an IntraLATA Dialing Parity Plan.) The Commission will allow Lathrop to modify its ILDP plan as requested.

However, the Commission is concerned that Lathrop's proposed notification letter does not stress the fact that it is a change from the earlier notice. The Commission will direct Lathrop to add the following paragraph in large bold type at the beginning of its proposed notice:

THIS NOTICE WILL ALERT YOU OF CHANGES THAT HAVE OCCURRED SINCE THE NOTICE YOU RECEIVED IN LATE JUNE OR EARLY JULY. Contrary to what that notice said, if you do not affirmatively choose (by contacting Lathrop Telephone Company or the long distance company you choose) an intraLATA toll service provider by October 20, 1999, you will be assigned to Lathrop Long Distance, an affiliate of Lathrop Telephone Company. The earlier notice stated that you would be assigned to your interLATA long distance carrier if you did not affirmatively choose an intraLATA carrier. That is no longer correct.

The Commission will also direct Lathrop to add the following paragraph at the end of its proposed notice:

You will still be able to make toll calls by "dialing around" using a "101XXXX" access number. A list of these "101XXXX" access numbers is available from your local Lathrop Telephone Company business office.

The notice as proposed states that Lathrop will charge customers \$9.00 for a PIC change. It is not immediately apparent how Lathrop

arrived at a \$9.00 charge<sup>1</sup>. However, Lathrop's tariff clearly sets forth a \$5.00 PIC change charge and it may not charge more than that. The Commission will order Lathrop to modify its notice to state that a customer will incur a \$5.00 charge to make a PIC change (after January 20, 2000).

In addition to being unauthorized by Lathrop's tariff, such a high charge may frustrate competition. Under Lathrop's ILDP plan, customers will be assigned to Lathrop's long distance affiliate if they do not affirmatively choose an intraLATA PIC. If those customers are dissatisfied with the service, they will (after January 20, 2000) be required to pay \$9.00 to choose an intraLATA PIC. Customers will be less likely to change carriers if they will incur a high charge to do so.

With the exceptions noted herein, Lathrop's proposed notice does accurately reflect the choices that Lathrop's customers have, and the charges they will incur to exercise those choices.

**IT IS THEREFORE ORDERED:**

1. That the petition to modify its IntraLATA Dialing Parity plan filed by Lathrop Telephone Company on August 31, 1999 is granted.
2. That Lathrop Telephone Company shall provide notice to its customers as discussed herein.

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<sup>1</sup> Several telephone cooperatives plan to charge a service order charge in addition to their tariffed PIC change charge. However, Lathrop's service order charge (found at 4<sup>th</sup> Revised Sheet C-7) is only \$2.25.

3. That this order shall become effective on October 1, 1999.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

(S E A L)

Crumpton, Murray, Schemenauer,  
and Drainer, CC., concur  
Lumpe, Ch., absent

Mills, Deputy Chief Regulatory Law Judge

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION