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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 3rd
day of February, 1999.

In the Matter of the Petition of Cass)	
County Telephone Company and KLM Telephone)	
Company for Suspension and Modification of)	<u>Case No. TO-99-305</u>
FCC Dialing Parity Rules Regarding)	
InterLATA Dialing Parity.)	

ORDER GRANTING PETITION

On January 19, 1999, Cass County Telephone Company (Cass) and KLM Telephone Company (KLM) filed a petition for suspension and modification of the Federal Communications Commission's (FCC's) dialing parity rules regarding interLATA dialing parity. Cass and KLM state that Section 251(b) of the Telecommunications Act of 1996 (the Act) requires local exchange carriers (LECs) to provide dialing parity to competing providers, and that by rule the FCC requires LECs to provide interLATA dialing parity by February 8. Cass and KLM point out that they may be subject to complaints or penalties if they do not meet this deadline. However, Section 251(f)(2) of the Act allows this Commission to suspend or modify the deadline for interLATA dialing parity imposed by Section 251(b) upon petition of a small LEC and a determination that: A) meeting the deadline is technically infeasible, unduly economically burdensome,

or would have a significant adverse economic impact; and B) modifying or suspending the deadline is consistent with the public interest.

On December 9, 1997, in Case Nos. TO-93-309 and TO-97-555, the Commission issued an order finding that it would be reasonable to allow KLM until July 1, 1999 to implement interLATA dialing parity. On January 13, in Case Nos. TO-93-309 and TM-95-163, the Commission issued an order finding that it would be reasonable to allow Cass until September 30 to implement interLATA dialing parity.

On January 29, the Staff of the Commission filed a response supporting the petition of Cass and KLM.

Inasmuch as the Commission has already allowed KLM and Cass until July 1 and September 30, respectively, to implement interLATA dialing parity, the Commission will also suspend or modify the deadline for interLATA dialing parity imposed by the FCC. The Commission finds that such suspension or modification is necessary to avoid imposing a requirement that is unduly economically burdensome or technically infeasible and that such suspension or modification is consistent with the public interest.

IT IS THEREFORE ORDERED:

1. That the petition for suspension and modification filed on January 19, 1999, by Cass County Telephone Company and KLM Telephone Company is granted.

2. That Section 52.211 of the Federal Communications Commission's rules is suspended or modified until September 30, 1999 for Cass County Telephone Company.

3. That Section 52.211 of the Federal Communications Commission's rules is suspended or modified until July 1, 1999 for KLM Telephone Company.

4. That this order shall become effective on February 8, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Mills, Deputy Chief Regulatory Law Judge