

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 6th
day of October, 1995.

In the matter of tariffs filed by GTE Midwest)
Incorporated and Southwestern Bell Telephone Company)
to modify the Preston and Macks Creek exchange) **Case No. TT-96-30**
boundaries.)
)

**ORDER GRANTING APPLICATION FOR REHEARING
AND APPROVING TARIFF SHEETS**

On March 22, 1995, GTE Midwest Incorporated (GTE) and Southwestern Bell Telephone Company (SWB) submitted proposed tariff sheets to modify their respective exchange boundaries between GTE's Preston exchange and SWB's Macks Creek exchange. The proposed boundary change would allow GTE to lawfully serve a customer who is now located in SWB's Macks Creek exchange. On August 1, 1995, the Commission issued an order in which the proposed tariff sheets were suspended. The Commission suspended the tariffs because of issues involving the modification of the Local Access and Transport Area (LATA) boundary that would be necessitated by the proposed exchange boundary change and the lack of local emergency medical service to the customer if the exchange boundary modification is approved. GTE indicated it is already serving the customer.

On September 22, 1995, GTE filed an application for rehearing of the Commission's August 1, 1995 order or, in the alternative, GTE indicated the proposed tariff sheets are withdrawn. The Commission has considered GTE's application and finds that the rehearing should be granted and, after reconsidering this matter, that the proposed tariff sheets should be approved. The current customer is aware of the emergency medical situation and is satisfied. The Commission, in this instance, finds that it should not override the customer's preference in this situation. The Commission still has serious concerns about

the public policy issue involving emergency medical service to this particular site. The Commission questions whether GTE and SWB will switch the exchange boundary and service to the next customer at this location if that customer is not satisfied with the emergency medical service situation. In addition, the Commission is very concerned that the two local exchange companies would switch the customer and then ask for approval. The wise course of action would be to get approval first rather than operate illegally and ask the Commission to ratify that action.

IT IS THEREFORE ORDERED:

1. That the application for rehearing filed by GTE Midwest Incorporated is hereby granted.

2. That the tariff sheets filed by GTE Midwest Incorporated and Southwestern Bell Telephone Company to modify the Preston and Macks Creek exchange boundaries are hereby approved for service on and after October 16, 1995. The tariff sheets approved are:

GTE Midwest Incorporated:

P.S.C. MO No. 7

1st Revised Sheet 321 Cancelling Original Sheet 321

Southwestern Bell Telephone Company:

P.S.C. Mo-No. 17

7th Revised Sheet 3 Replacing 6th Revised Sheet 3

3. That this order shall become effective on the 16th day of October, 1995.

BY THE COMMISSION



**David L. Rauch
Executive Secretary**

(S E A L)

Mueller, Chm., Kincheloe and
Crumpton, CC., concur.
McClure and Drainer, CC.,
dissent.