

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of a Proposed Amendment to Rule 4 CSR 240-31.060 - Missouri Universal Service Fund Assessments.))))	<u>Case No. TX-2002-442</u>
In the Matter of a Proposed Amendment to Rule 4 CSR 240-31.050 - Missouri Universal Service Fund Assessments.))))	<u>Case No. TX-2002-443</u>
In the Matter of a Proposed Amendment to Rule 4 CSR 240-33.050(4) - Telecommunications Service and Billing Practices: Residential Customer Inquiries.)))))	<u>Case No. TX-2002-460</u>
In the Matter of a Proposed Rulemaking to Implement the Missouri Universal Service Fund End-User Surcharge.))))	<u>Case No TX-2002-1026</u>

ORDER CONSOLIDATING CASES

On March 21, 2002, in case number TO-98-329, the Commission issued a Report and Order Establishing a Low-Income/Disabled Fund. In the Report and Order the Commission found that rule changes were necessary to implement the Missouri Universal Service Fund.

On March 26, 2002, to further the purposes of Sections 386.210 *et seq.* and 392.010, the Commission issued Orders Finding Necessity for Rulemaking in case numbers TX-2002-442, TX-2002-443 and TX-2002-460. These Orders directed Staff of the Commission to "proceed toward the end of the Commission promulgating the rule changes

discussed therein.” On May 28, 2002, in case number TX-2002-1026, the Commission issued a fourth Order Finding Necessity for Rulemaking.

Case number TX-2002-442 concerns assessments that will fund the Missouri Universal Service Fund. Case Number TX-2002-443 deals with customers who qualify for relief through the Missouri Universal Service Fund. Case number TX-2002-460 identifies implementation of “the low income/disabled portion of the fund.” And, case number TX-2002-1026 finds that “a rule is necessary to establish procedures for an assessed telecommunications carrier’s collection of a Missouri Universal Service Fund surcharge.”

On June 4, 2002, Staff of the Commission filed a Motion to Consolidate the rulemaking-cases above, citing Commission Rule 4 CSR 240-2.110(3), which provides that the Commission may consolidate cases when related questions of law or fact are involved.

The Commission concludes that the cases noted above involve related questions of fact in that they all concern the implementation of Missouri’s Universal Service Fund. It is also concluded that these cases further the purposes of Sections 386.210 *et seq.* and 392.010 *et seq.* and therefore, involve related questions of law. The Commission further concludes that consolidation will result in the most efficient use of the Commission’s resources and that no party will be prejudiced by such consolidation.

IT IS THEREFORE ORDERED:

1. That case numbers TX-2002-442, TX-2002-443, TX-2002-460 and TX-2002-1026 be consolidated.
2. That Case Number TX-2002-1026 is designated as the lead case and that hereafter all pleadings, briefs and correspondence regarding the consolidated cases shall be filed in the lead case.

3. That this Order will become effective on July 1, 2002.

BY THE COMMISSION

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 21st day of June, 2002.