

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of the Application of Excel )  
Telecommunications, Inc., for a Certificate of )  
Authority to Provide Basic Local Telecommunications )  
Service, Local Exchange Telecommunications Service ) Case No. TA-97-8  
and Exchange access Service in Portions of the )  
State of Missouri and to Classify Said Services as )  
Competitive. )  
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**REPORT AND ORDER**

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**Issue Date:** May 27, 1997

**Effective Date:** June 6, 1997

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State of Missouri and to Classify Said Services as )  
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**APPEARANCES**

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and

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65102, for: BPS Telephone Company, Cass County Telephone Company, Citizens  
Telephone Company of Higginsville, Missouri, Inc., Craw-Kan Telephone  
Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company,  
Goodman Telephone Company, Inc., Granby Telephone Company, Grand River  
Mutual Telephone Corporation, Green Hills Telephone Corporation, Holway  
Telephone Company, KLM Telephone Company, Kingdom Telephone Company,  
Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural  
Telephone Company, McDonald County Telephone Company, Miller Telephone  
Company, New Florence Telephone Company, New London Telephone Company,  
Orchard Farm Telephone Company, Oregon Farmers Mutual Telephone Company,  
Ozark Telephone Company, Rock Port Telephone Company, Seneca Telephone  
Company, Steelville Telephone Exchange, Inc., and Stoutland Telephone  
Company; and Fidelity Telephone Company and Bourbeuse Telephone Company.

Michael F. Dandino, Senior Public Counsel, Office of the Public Counsel,  
Post Office Box 7800, Jefferson City, Missouri 65102, for the Office of the  
Public Counsel and the public.

Colleen M. Dale, Deputy Public Counsel, and Penny G. Baker, Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, for the staff of the Missouri Public Service Commission.

**ADMINISTRATIVE**

**LAW JUDGE:** Elaine E. Bensavage.

**REPORT AND ORDER**

**Procedural History**

Excel Telecommunications, Inc. (Excel) applied to the Commission on July 5, 1996, for a certificate of service authority to provide basic local telecommunications services and local exchange telecommunications services in Missouri under § 392.410 - .450, RSMo 1994<sup>1</sup>. Excel asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by §§ 392.361 and 392.420. Excel is a Texas corporation and a wholly-owned subsidiary of Excel Communications, Inc., with offices located at 8750 North Central Expressway, Dallas, Texas 75231.

The Commission issued an Order and Notice on July 11, 1996, directing parties wishing to intervene in the case to do so by August 12, 1996. The Commission granted permission to intervene to the following entities on August 28, 1996:

Southwestern Bell Telephone Company (SWBT)  
The Small Telephone Company Group<sup>2</sup>

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<sup>1</sup> All statutory references are to Revised Statutes of Missouri 1994, except where otherwise noted.

<sup>2</sup> For purposes of this proceeding, the Small Telephone Company Group consists of BPS Telephone Company, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Inc., Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company, Goodman Telephone Company, Inc., Granby Telephone Company, Grand River Mutual Telephone Corporation, Green Hills Telephone Corporation, Holway Telephone Company, KLM Telephone Company, Kingdom Telephone Company,

Bourbeuse Telephone Company  
Fidelity Telephone Company  
MCI Telecommunications Corporation (MCI)<sup>3</sup>  
GTE Midwest Incorporated (GTE)  
AT&T Communications of the Southwest, Inc.

The parties filed a Stipulation and Agreement (Stipulation, Attachment A to this order) on October 3, 1996, and Excel filed a motion asking that the Commission establish a hearing date to consider approval of the agreement. The Commission Staff (Staff) filed Suggestions in Support of the Stipulation and Agreement on October 11, 1996. Staff's suggestions included sworn testimony by a member of the Commission's telecommunications staff. The Commission conducted a hearing on November 6, 1996, where the parties made presentations and were available for Commission questions.

### **Background**

Excel has requested in the Stipulation that its original application be deemed amended by reference to the terms and provisions contained in ¶¶ 5-7 of the Stipulation, and that ¶ 10 of its original application be amended to request waivers of only those statutory provisions and Commission rules as are enumerated in ¶¶ 7 and 13 of the Stipulation. (Stipulation at 4-5, ¶ 9).

Excel, which is certificated to provide intrastate interexchange services in Missouri, wishes certification to provide resold basic local

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Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, McDonald County Telephone Company, Miller Telephone Company, New Florence Telephone Company, New London Telephone Company, Orchard Farm Telephone Company, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Rock Port Telephone Company, Seneca Telephone Company, Steelville Telephone Exchange, Inc., and Stoutland Telephone Company.

<sup>3</sup> MCI filed a withdrawal of its application to intervene on March 13, 1997.

telecommunications service and local exchange telecommunications services as well. Local exchange services are considered competitive services and are subject to different rules and statutory requirements than are basic local services. Therefore, they will be considered separately in the discussion below.

Excel wants to provide basic local services in portions of Missouri that are currently served by SWBT, GTE, and United Telephone Company of Missouri d/b/a Sprint (Sprint-United). Excel is not asking for certification in any area that is served by a small incumbent local exchange provider. The specific exchanges in which Excel proposes to operate are described in Exhibit III to the application that was late-filed on October 3, 1996 (Attachment B to this order). Excel is requesting that its basic local exchange services be classified as competitive and that certain statutes and regulatory rules be waived for Excel.

## **Discussion**

### **A. Requirements of 4 CSR 240-2.060(4)**

Commission Rule 4 CSR 240-2.060(4) requires a foreign corporation applying for certification to provide telecommunications services to include in its application a certificate from the Secretary of State showing it is authorized to do business in Missouri, a description of the types of service it intends to provide, a description of the exchanges where it will offer service, and a proposed tariff with a 45-day effective date. Excel has provided all the required documentation except for the proposed tariff. The company has requested a temporary waiver of 4 CSR 240-2.060(4)(H) because it is impractical for Excel to submit a tariff until it has executed resale agreements with the incumbent local exchange carriers (ILECs) involved. Excel cannot price its resold services until

it has reached price agreements with the ILECs from which it will purchase those services. The company has agreed that, once it is possible to do so, it will submit to the Commission for approval a proposed tariff with a minimum 30-day effective date. Excel will file the tariff in Case No. TA-97-8 and give notice of the tariff filing to all the parties and participants. Along with that filing Excel has agreed to provide a written disclosure of all resale agreements it has entered into which affect its Missouri service areas (Stipulation at 3-4, ¶ 6 and 7-8, ¶ 12).

**B. Local exchange certification**

The Commission finds that Excel's entry into competition in the local exchange telecommunications market is in the public interest and the company should be granted a certificate of service authority. The Commission finds that the local exchange services Excel proposes to offer are competitive and the company should be classified as a competitive company. The Commission finds that waiving the statutes and Commission rules set out in Ordered Paragraph 3 is reasonable and not detrimental to the public interest.

The Commission determines, by authority of § 392.470, that Applicant should comply with the following regulatory requirements as reasonable and necessary conditions of certification:

- (1) Applicant must comply with reasonable requests by Staff for financial and operating data to allow Staff to monitor the intraLATA toll market. § 386.320.3.
- (2) Applicant must file tariffs containing rules and regulations applicable to customers, a description of the services provided, and a list of rates associated with those services in accordance with 4 CSR 240-30.010 and § 392.220, RSMo Supp. 1996.
- (3) Applicant may not unjustly discriminate between its customers. §§ 392.200, RSMo Supp. 1996, and 392.400.

- (4) Applicant must comply with all applicable rules of the Commission except those specifically waived by this order. §§ 386.570, 392.360.
- (5) Applicant must file a Missouri-specific annual report. §§ 392.210, 392.390.1.
- (6) Applicant must comply with jurisdictional reporting requirements as set out in each local exchange company's access services tariffs. § 392.390.3.
- (7) Applicant must submit to the staff, on a confidential basis, a copy of the jurisdictional report it submits to local exchange companies. The report must be submitted within ten (10) days of the date on which it is submitted to the local exchange company.

### **C. Basic local exchange certification**

Section 392.455, RSMo Supp. 1996, effective August 28, 1996, sets out the requirements for granting certificates to provide basic local telecommunications service to new entrants. A new entrant must:

- (1) possess sufficient technical, financial and managerial resources and abilities to provide basic local telecommunications service;
- (2) demonstrate that the services it proposes to offer satisfy the minimum standards established by the Commission;
- (3) set forth the geographic area in which it proposes to offer service, and demonstrate that such area follows exchange boundaries of the incumbent local exchange telecommunications company and is no smaller than an exchange; and
- (4) offer basic local telecommunications service as a separate and distinct service. In addition, the Commission must give due consideration to equitable access for all Missourians to affordable telecommunications services, regardless of where they live or their income.

#### **1. Technical, financial and managerial resources and abilities.**

Excel submitted Exhibit II with its application that lists the names and qualifications of its management team. In addition to academic credentials, the team members have experience in various areas of the

telecommunications industry including network operations and engineering, customer services, and marketing and finance. Excel also submitted as Exhibit I the 1994 and 1995 balance sheets and income statements of its parent company, Excel Communications, Inc. The parties agreed that Excel possesses sufficient technical, financial and managerial resources and abilities to provide basic local telecommunications service (Stipulation at 5, ¶ 10(A)).

**2. The entrant's proposed services satisfy the minimum standards established by the Commission.** Excel stated in its application that its services will include the following:

- Basic residential exchange services, such as local exchange flat rate, measured rate, operator services, and so forth
- Residential Custom Calling and Class Features, such as call waiting, call forwarding, caller ID, and so forth
- Basic business exchange services
- Business Custom Calling and Class Features
- Adjunct provided features such as voice messaging
- Residential and business ancillary services such as 911, directory listing, directory assistance, and so forth

Excel has agreed to meet the Commission's minimum basic local service standards, including quality of service and billing standards (Stipulation at 2, ¶ 5). The parties agreed that Excel proposes to offer basic local services that satisfy the minimum standards established by the Commission (Stipulation at 5, ¶ 10(B)).

**3. The geographic area in which the company proposes to offer service.** Excel sets out in its late-filed Exhibit III all the exchanges in which it proposes to offer services. Excel has defined its service area by means of the tariffed exchange areas of the ILECs presently providing basic local service in those exchanges. Exhibit III consists of Commission-approved tariff sheets filed by SWBT, GTE, and Sprint-United, describing local exchanges. The company has agreed that its service area



must follow ILEC exchange boundaries and be no smaller than an exchange (Stipulation at 3, ¶ 5 and 5, ¶ 10(C)). The parties agreed that Excel has sufficiently identified the geographic area in which it proposes to offer basic local service and that the area follows ILEC exchange boundaries and is no smaller than an exchange (Stipulation at 5, ¶ 10(C)).

4. **The offering of basic local telecommunications service as a separate and distinct service.** Excel has agreed to offer basic local telecommunications service as a separate and distinct service (Stipulation at 3, ¶ 5 and 5, ¶ 10(D)).

5. **Equitable access for all Missourians to affordable telecommunications services.** Excel has agreed to provide equitable access, as determined by the Commission, for all Missourians within the geographic area in which it will offer basic local services in compliance with § 392.455(5) (Stipulation at 3, ¶ 5 and 5-6, ¶ 10(E)).

#### **D. Competitive classification**

The Commission may classify a telecommunications provider as a competitive company if the Commission determines it is subject to sufficient competition to justify a lesser degree of regulation. § 392.361.2. In making that determination the Commission may consider such factors as market share, financial resources and name recognition, among others. In the matter of the investigation for the purpose of determining the classification of the services provided by interexchange telecommunication companies within the State of Missouri, 30 Mo. P.S.C. (N.S.) 16 (1989); In the matter of Southwestern Bell Telephone Company's application for classification of certain services as transitionally competitive, 1 Mo. P.S.C. 3d 479, 484 (1992). In addition, all the services a competitive company provides must be classified as competitive.

§ 392.361.3. The Commission has found that whether a service is competitive is a subject for case-by-case examination and that different criteria may be given greater weight depending upon the service being considered. *Id.* at 487.

The parties have agreed that Excel should be classified as a competitive telecommunications company. (Stipulation at 6-7, ¶ 11). The parties have also agreed that Excel's switched exchange access services may be classified as competitive services, conditioned upon certain limitations on Excel's ability to charge for its access services. Excel has agreed that, unless otherwise ordered by the Commission, its originating and terminating access rates will be no greater than the lowest Commission-approved corresponding access rates in effect at the date of certification for the large incumbent LECs within those service areas in which Excel seeks to operate. The parties have agreed that the grant of service authority and competitive classification to Excel should be expressly conditioned on the continued applicability of § 392.200, RSMo Supp. 1996 and on the requirement that any increases in switched access services rates above the maximum switched access service rates set forth in the agreement must be cost-justified pursuant to §§ 392.220, RSMo Supp. 1996 and 392.230, rather than §§ 392.500 and 392.510.

The parties agreed that waiver of the following statutes is appropriate: §§ 392.210.2, 392.270, 392.280, 392.290.1, 392.300.2, 392.310, 392.320, 392.330, RSMo Supp. 1996 and 392.340. The parties also agreed that application of these Commission rules could be waived: 4 CSR 240-10.020, 4 CSR 240-30.040, and 4 CSR 240-35.

At the hearing, a question was raised about the propriety of extending competitive classification to the applicant when one of the

services offered is not truly competitive, notwithstanding the agreement of the parties to the contrary. In her testimony in support of the stipulation, Staff witness Smith explained the problem as follows, and proposed the following solution:

Q. Is classifying all proposed services as competitive appropriate?

A. Yes, but certain safeguards are needed for switched access services. Staff does not agree that all services offered by the Company are truly competitive. Staff does agree that all services offered by the Company are competitive in nature and with certain safeguards can be treated as competitive. Specifically, Staff is concerned that originating and terminating switched access services are not truly competitive services and require certain safeguards. Switched access services are purchased by Interexchange Carriers (IXCs) and resellers and are different than basic local telecommunications services purchased by retail customers. IXCs and resellers have no direct choice in determining which company handles the origination and termination of calls made by their customers. Instead, the choice of which LEC originates and terminates calls is made by the customer of the IXC or reseller. For this reason, IXCs and resellers are captive customers of access services. Since, in a competitive environment, retail customers will seldom choose a LEC based upon their [sic] switched access service rates, IXCs and resellers could be subject to excessive, non-cost based switched access service rates based upon a decision made by a customer of the IXC or the reseller.

Q. What safeguards does the Staff propose?

A. To remedy this situation, the Staff recommends that as a condition of competitive classification, the Commission order the Applicant to set its originating and terminating access rates at a rate no greater than the lowest Commission-approved corresponding access rates in effect at the date of certification for the large incumbent LEC(s) within whose service area the Applicant seeks authority to provide service. In this case, Excel's originating and terminating switched access service rates will be no greater than [sic] those rates charged by Southwestern Bell Telephone Company. Staff also recommends that any increase in the Applicant's originating and terminating access rates be done by filing tariff(s), subject to suspension, with at least a 30-day effective date and not pursuant to Section 392.500 RSMo. Section 392.500 allows competitive companies to

change rates on a seven or ten day notice to the Commission and would not be subject to suspension. With these two safeguards, Staff believes that the services offered by the Applicant should be deemed competitive and the Company should continue to operate as a competitive telecommunications company.

(Exhibit 2, attached testimony of Carol Gay Smith at 7-8).

The concern expressed was whether classification of exchange access service as competitive was appropriate when by its nature captive customers will exist. A further concern was whether classification of the company as competitive was permissible under § 392.361.3, which allows the Commission to classify a company as competitive only upon a finding that all telecommunications services offered by that company are competitive services. Under a strict interpretation of the statutes, no company offering basic local telecommunications service could ever be classified as competitive because basic local telecommunications service necessarily includes exchange access service. The Commission finds that such a strict reading of § 392.361.3 would produce an anomalous result inconsistent with the intent of the legislature.

Section 392.361 was enacted in 1987 and amended in 1993, prior to passage of either Missouri Senate Bill 507 or the Federal Telecommunications Act of 1996.<sup>4</sup> In construing a statute, a court will generally not confine its scrutiny to words quoted in a particular section, but will look instead to the purpose of the act to arrive at the intent of the

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<sup>4</sup> Indeed, the original version of § 392.450, also enacted in 1987, authorized the Commission to approve an application for a certificate of service authority to provide basic local telecommunications service only upon a required finding that "[r]easonably safe and adequate service is not being offered by the principal provider of basic local telecommunications service." This section, which was amended as part of Missouri Senate Bill 507, no longer requires such a finding.

legislature as disclosed in part by the objectives of the legislation. Lebcowitz v. Simms, 300 S.W.2d 827, 829 (Mo. App. 1957).

The intent of Missouri Senate Bill 507 in general is to encourage the development of competition in the telecommunications industry consistent with the public interest, including competition for the provision of basic local telecommunications service. That intent is partially expressed in § 392.200.4(2), RSMo Supp. 1996, as follows: "It is the intent of this act to bring the benefits of competition to all customers and to ensure that incumbent and alternative local exchange telecommunications companies have the opportunity to price and market telecommunications services to all prospective customers in any geographic area in which they compete."<sup>5</sup> The legislation also assumes that as competition develops, the regulatory environment will be adjusted accordingly. For example, § 392.245.5, RSMo Supp. 1996 states: "Each telecommunications service of an incumbent local exchange telecommunications company shall be classified as competitive in any exchange in which at least one alternative local exchange telecommunications company has been certified under section 392.455 and has provided basic local telecommunications service in that exchange for at least five years, unless the commission determines, after notice and a hearing, that effective competition does not exist in the exchange for such service."

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<sup>5</sup> Section 386.020(1), RSMo Supp. 1996 defines "alternative local exchange telecommunications company" as a company certified to provide basic or nonbasic local telecommunications service or switched exchange access service subsequent to December 31, 1995, while § 386.020(22), RSMo Supp. 1996 defines "incumbent local exchange telecommunications company" as a company authorized to provide basic local telecommunications service as of December 31, 1995. The Missouri General Assembly thus contemplated that additional "alternative" companies would enter the basic local telecommunications market.

In addition, a strict refusal to classify companies that offer switched access services as competitive may be inconsistent with the Federal Telecommunications Act of 1996, and thus preempted to the extent of the inconsistency. As previously indicated, no company offering basic local telecommunications service, whether an incumbent or an alternative company, could ever be classified as a competitive company under such strict statutory interpretation because of the necessity to provide exchange access service. As a consequence, companies which were previously classified as competitive, including virtually all interexchange carriers (IXCs), could lose their competitive classification if they choose to offer basic local telecommunications service. Such a disincentive to enter the basic local telecommunications market could be construed as an impermissible "barrier to entry" under § 253 of the Federal Telecommunications Act of 1996.

### **Findings of Fact**

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

1. The Commission finds that competition in the local exchange and basic local exchange telecommunications markets is in the public interest.
2. The Commission finds that Excel has met the requirements of 4 CSR 240-2.060(4) for applicants for certificates of service authority to provide telecommunications services with the exception of the filing of a tariff with a 45-day effective date.

3. The Commission finds that Excel has demonstrated good cause to support a temporary waiver of the tariff filing requirement and the waiver shall be granted.
4. The Commission finds that the local exchange services market should be competitive and that granting Excel a certificate of service authority to provide local exchange telecommunications services is in the public interest. Excel's certificate should become effective when its tariff becomes effective.
5. The Commission finds that Excel meets the statutory requirements for provision of basic local telecommunications services and has agreed to abide by those requirements in the future. The Commission determines that granting Excel a certificate of service authority to provide basic local exchange telecommunications services is in the public interest. Excel's certificate should become effective when its tariff becomes effective.
6. The Commission finds that Excel is a competitive company and should be granted waiver of the statutes and rules set out in Ordered Paragraph 3.
7. The Commission finds that Excel's certification and competitive status are expressly conditioned upon the continued applicability of § 392.200, RSMo Supp. 1996 and on the requirement that any increases in switched access service rates above the maximum switched access service rates set forth in the agreement must be cost-justified pursuant to

§§ 392.220, RSMo Supp. 1996 and 392.230, rather than §§ 392.500 and 392.510.

8. The Commission finds that the Stipulation and Agreement filed by the parties is a reasonable resolution of the issues.

### **Conclusions of Law**

The Missouri Public Service Commission has reached the following conclusions of law:

The Commission has the authority to grant certificates of service authority to provide telecommunications service within the State of Missouri. Excel has requested certification under § 392.410 - .450. Those statutes permit the Commission to grant a certificate of service authority where the grant of authority is in the public interest.

The Federal Telecommunications Act of 1996 and Missouri Senate Bill 507 were designed to institute competition in the basic local exchange telecommunications market in order to benefit all telecommunications consumers. Section 392.185, RSMo Supp. 1996 states that "the provisions of this chapter shall be construed to: (1) Promote universally available and widely affordable telecommunications services; . . . (3) Promote diversity in the supply of telecommunications services and products throughout the state of Missouri; . . . (6) Allow full and fair competition to function as a substitute for regulation when consistent with the protection of ratepayers and otherwise consistent with the public interest . . . ."

The Commission has the legal authority to accept a Stipulation and Agreement as offered by the parties as a resolution of the issues raised in this case, pursuant to § 536.060, RSMo Supp. 1996. Based upon the information contained within the Stipulation and Agreement of the



parties, the supporting information offered at the hearing on November 6, 1996, and on its findings of fact, the Commission concludes that the Stipulation and Agreement should be approved and that Excel should be granted the certificate of service authority requested.

**IT IS THEREFORE ORDERED:**

1. That Excel Telecommunications, Inc. is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri, subject to the conditions of certification set out above, to become effective when the company's tariff becomes effective.

2. That Excel Telecommunications, Inc. is granted a certificate of service authority to provide basic local telecommunications services in the state of Missouri, subject to the conditions of certification set out above, to become effective when the company's tariff becomes effective.

3. That Excel Telecommunications, Inc. is classified as a competitive telecommunications company. The following statutes and regulatory rules shall be waived:

**Statutes**

- 392.210.2 - Uniform System of Accounts
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290.1 - issuance of securities
- 392.300.2 - acquisition of stock
- 392.310 - stock and debt issuance
- 392.320 - stock dividend payment
- 392.330 - issuance of securities, debts and notes
- 392.340 - reorganization(s)

**Commission Rules**

- 4 CSR 240-10.020 - depreciation fund income
- 4 CSR 240-30.040 - Uniform System of Accounts
- 4 CSR 240-35 - reporting of bypass and customer specific arrangements

4. That the filing of a 45-day tariff as required by 4 CSR 240-2.060(4)(H) is waived until Excel Telecommunications, Inc. has entered into a Commission approved resale agreement or agreements that enable it to provide basic local exchange services.

5. That Excel Telecommunications, Inc. shall file tariff sheets for approval no later than 30 days after the Commission approves the required resale agreement or agreements. The proposed tariff shall reflect the rates, rules, regulations and the services it will offer. The tariff shall include a listing of the statutes and Commission rules waived under Ordered Paragraph 3.

6. That this Report And Order shall become effective on June 6, 1997.

**BY THE COMMISSION**



**Cecil I. Wright  
Executive Secretary**

( S E A L )

Zobrist, Chm., Crumpton, Drainer  
and Murray, CC., concur.

Dated at Jefferson City, Missouri,  
on this 27th day of May, 1997.

**BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI**

In the Matter of the Application of Excel )  
Telecommunications Inc., for a )  
Certificate of Service Authority to Provide )  
Basic Local Telecommunications Service, )  
Local Exchange Telecommunications )  
Service, and Exchange Access Service )  
in Portions of the State of Missouri, and )  
to Classify Said Services as Competitive. )

Case No. TA-97-8

FILED  
OCT 9 - 1996  
MISSOURI  
PUBLIC SERVICE COMMISSION

**STIPULATION AND AGREEMENT**

1. Excel Telecommunications, Inc. ("Excel") initiated this proceeding on July 5, 1996, by filing an Application requesting certificate of service authority to provide basic local telecommunications service, local exchange telecommunications service, and exchange access service in exchanges currently served by Southwestern Bell Telephone Company ("SWB"), GTE Midwest Incorporated ("GTE"), and United Telephone Company of Missouri ("United").

2. The Commission has granted the timely applications to intervene of SWB, the "Small Telephone Company Group"<sup>1</sup>, Bourbeuse Telephone Company and Fidelity Telephone Company ("Fidelity"), AT&T Communications of the Southwest, Inc. ("AT&T"), GTE, and MCI Telecommunications Corporation ("MCI"). United did not seek and has not been

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<sup>1</sup> The following companies comprise the "Small Telephone Company Group": BPS Telephone Company, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri Inc., Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company, Goodman Telephone Company, Inc., Granby Telephone Company, Grand River Mutual Telephone Corporation, Green Hills Telephone Corporation, Holway Telephone Company, KLM Telephone Company, Kingdom Telephone Company, Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, McDonald County Telephone Company, Miller Telephone Company, New Florence Telephone Company, New London Telephone Company, Orchard Farm Telephone Company, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Rock Port Telephone Company, Seneca Telephone Company, Steelville Telephone Exchange, Inc., and Stoutland Telephone Company.

granted intervention in this proceeding.

3. Pursuant to the Commission's scheduling order, representatives of the Commission Staff, the Office of Public Counsel and all of the aforementioned parties participated in a prehearing conference on September 20, 1996.

4. For purposes of this Stipulation and Agreement, the parties agree that applications for local exchange and basic local exchange authority in exchanges served by "large" local exchange companies (LECs)<sup>2</sup> should be processed in a manner similar to that in which applications for interexchange and local exchange authority are currently handled.

5. In determining whether Excel's application for certificate of service authority should be granted, the Commission should consider Excel's technical, financial and managerial resources and abilities to provide basic local telecommunications service. Excel must demonstrate that the basic local services it proposes to offer satisfy the minimum standards established by the Commission, including but not limited to the applicant agreeing to file and maintain basic local service tariff(s) with the Commission in the same manner and form as the Commission requires of incumbent local exchange telecommunications companies with which the applicant seeks to compete. Further, Excel agrees to meet the minimum basic local service standards, including quality of service and billing standards, as the Commission requires of the incumbent local exchange telecommunications companies with which the applicant seeks to compete. Notwithstanding the provisions of Section 392.500 RSMo (1994), as a condition of certification and

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<sup>2</sup>Large LEC's are defined as LECs who serve 100,000 or more access lines. Section 386.020 RSMo. Supp. 1996. In Missouri, the current large LECs are SWBT and United.

competitive classification, Excel agrees that, unless otherwise ordered by the Commission, the applicant's originating and terminating access rates will be no greater than the lowest Commission approved corresponding access rates in effect at the date of certification for the large incumbent LEC(s) within those service area(s) applicant seeks authority to provide service. Further, Excel agrees to offer basic local telecommunications service as a separate and distinct service and must sufficiently identify the geographic service area in which it proposes to offer basic local service. Such area must follow exchange boundaries of the incumbent local exchange telecommunications companies in the same area and must be no smaller than an exchange. Finally, Excel agrees to provide equitable access as determined by the Commission for all Missourians within the geographic area in which it proposes to offer basic local service, regardless of where they live or their income, to affordable telecommunications services. See Section 392.455 RSMo (1996 Supp.).

6. Excel has submitted its application without tariffs and seeks a temporary waiver of 4 CSR 240-2.060(4)(H).<sup>3</sup> Excel agrees to file its initial tariff(s) in the certification docket and serve all parties thereto with written notice at the time the initial tariff(s) are submitted to afford them an opportunity to participate in the tariff approval process. Copies of the tariff(s) will be provided by Excel to such parties immediately upon request. Any service authority shall be regarded as conditional and shall not be exercised until such time as tariff(s) for services have become effective. When filing its initial basic local tariff(s), Excel shall also file and serve a written disclosure of all interconnection agreements which affect its

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<sup>3</sup>Good cause for failure to file proposed tariffs with the Application must be shown. The lack of an approved interconnection agreement (47 USC 252) constitutes good cause.

Missouri service areas, all portions of its Missouri service areas for which it does not have an interconnection agreement with the incumbent local exchange carrier; and its explanation of why such an interconnection agreement is unnecessary for such areas.

7. Excel has, pursuant to Section 392.420 RSMo requested that the Commission waive the application of any or all of the following statutory provisions and rules to basic local telecommunications services, and the parties agree that the Commission should grant such request provided that Section 392.200 RSMo should continue to apply to all of Excel's services:

STATUTORY PROVISIONS

COMMISSION RULES

Section 392.210.2  
Section 392.270  
Section 392.280  
Section 392.290.1  
Section 392.300.2  
Section 392.310  
Section 392.320  
Section 392.330  
Section 392.340

4 CSR 240-10.020  
4 CSR 240-30.040  
4 CSR 240-35

8. The parties have employed the foregoing standards and criteria, which are intended to meet the requirements of existing law and Sections 392.450 and 392.455 of SB 507 regarding applications for certificates of local exchange service authority to provide or resell basic local telecommunications service, in negotiating the remaining provisions of this Stipulation and Agreement.

**B. EXCEL CERTIFICATION**

9. Excel submitted a Late Filed Exhibit III to its Application, with consent of the parties, on September 26, 1996 in which it has identified by name the exchanges in which it

seeks authority to provide service. The exchanges identified are those currently served by SWB, GTE and United. Further, Excel hereby agrees that its original Application should be deemed further amended to include by reference the terms and provisions described in paragraphs 5-7 hereinabove. Excel hereby further amends paragraph 10 of its original application to request waiver of only those statutory provisions and Commission rules as are now enumerated in paragraphs 7 and 13 in this Stipulation and Agreement.

10. Based upon its verified Application, as amended by this Stipulation and Agreement, Excel asserts, and no party makes a contrary assertion, that there is sufficient evidence from which the Commission should find and conclude that Excel:

- A. possesses sufficient technical, financial and managerial resources and abilities to provide basic local telecommunications service and local exchange telecommunications service, including exchange access service;
- B. proposes and agrees to offer basic local services that will satisfy the minimum standards established by the Commission;
- C. has sufficiently identified the geographic area in which it proposes to offer basic local service and such area follows exchange boundaries of the incumbent local exchange telecommunications companies in the same areas, and such area is no smaller than an exchange;
- D. will offer basic local telecommunications services as a separate and distinct service;
- E. has agreed to provide equitable access as determined by the Commission for all Missourians within the geographic area in which it proposes to offer basic

local service, regardless of where they live or their income, to affordable telecommunications services; and

F. has sought authority which will serve the public interest.

11. Excel asserts and no party opposes, that Excel's application and request for authority to provide basic local telecommunications service and local exchange telecommunications services (including exchange access service) should be granted. All services<sup>4</sup> authorized herein should be classified as competitive telecommunications services, provided that the requirements of Section 392.200 continue to apply, and Excel shall remain classified as a competitive telecommunications company. Excel asserts, and no party opposes, that such services will be subject to sufficient competition by the services of the incumbent LECs to justify a lesser degree of regulation of Excel's services consistent with the protection of ratepayers and the promotion of the public interest. Such classification should become effective upon the tariffs for the services becoming effective. Such authority should be conditional, not to be exercised until such time as tariffs for those services have been filed (together with the written disclosure as stipulated above) and have become effective. The Commission's Order should state the foregoing conditions substantially as follows:

"The service authority and service classification herein granted are subject to the requirements of Section 392.200 and are conditional and shall not be exercised until such time as tariffs for services have become effective."

The parties agree that the applicant's switched exchange access services may be classified as competitive services. The parties further agree that the applicant's switched

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<sup>4</sup>Switched exchange access service is further addressed in paragraph 11 below.



exchange access services are subject to Section 392.200. Any increases in switched access service rates above the maximum switched access service rates as set forth in paragraph 5 herein shall be cost-justified and be made pursuant to 392.220 and 392.230 and not 392.500 and 392.510. The Commission's order should state the foregoing conditions substantially as follows:

"The service authority and service classification for switched exchange access granted herein is expressly conditioned on the continued applicability of Section 392.200 and the requirement that any increases in switched access service rates above the maximum switched access service rates set forth herein shall be cost-justified and be made pursuant to Sections 392.220 and 392.230 and not Sections 392.500 and 392.510."

12. Excel's request for a temporary waiver of 4 CSR 240-2.060(4)(H), which requires applications to include a proposed tariff with a 45-day effective date, is not opposed by the parties and should be granted because Excel does not yet have approved interconnection agreements with the large incumbent LECs. Excel agrees that at such time as all facts necessary for the development of tariffs become known, it will submit tariffs in this docket, with a minimum 30-day proposed effective date, to the Commission for its approval, together with the written disclosure as stipulated above. Excel shall serve notice to all parties and participants in this docket of the filing of its tariffs at the time they are filed with the Commission, and serve them with the aforesaid written disclosure and shall upon request immediately provide any party with a copy of those tariffs. The Commission's order should state these obligations as conditions to the temporary waiver of 4 CSR 240-2.060(4)(H),

substantially as follows:

"Applicant's request for temporary waiver of 4 CSR 240-2.060(4)(H) is hereby granted for good cause in that applicant does not yet have an approved interconnection agreement with the incumbent local exchange carriers within whose service areas it seeks authority to provide service; provided, when applicant submits its tariffs in this docket to the Commission such tariffs shall have a minimum of a 30-day effective date and the applicant shall serve written notice upon the parties hereto of such submittal, and shall provide copies of such tariffs to such parties immediately upon request. When filing its initial basic local tariff in this docket, the applicant shall also file and serve upon the parties hereto a written disclosure of: all interconnection agreements which affect its Missouri service areas; all portions of its Missouri service areas for which it does not have an interconnection agreement with the incumbent local exchange carrier; and its explanation of why such an interconnection agreement is unnecessary for any such areas."

13. Excel's request for waiver of the application of the following rules and statutory provisions as they relate to the regulation of Excel's new services should be granted:

STATUTORY PROVISIONS

Section 392.210.2  
Section 392.270  
Section 392.280  
Section 392.290.1  
Section 392.300.2  
Section 392.310  
Section 392.320  
Section 392.330  
Section 392.340

COMMISSION RULES

4 CSR 240-10.020  
4 CSR 240-30.040  
4 CSR 240-35

14. This Stipulation and Agreement has resulted from extensive negotiations among

the signatories and the terms hereof are interdependent. In the event the Commission does not adopt this Stipulation in total, then this Stipulation and Agreement shall be void and no signatory shall be bound by any of the agreements or provisions hereof. The Stipulations herein are specific to the resolution of this proceeding and are made without prejudice to the rights of the signatories to take other positions in other proceedings.

15. In the event the Commission accepts the specific terms of this Stipulation and Agreement, the parties and participants waive, with respect to the issues resolved herein: their respective rights pursuant to Section 536.080.1, RSMo 1994, to present testimony, to cross-examine witnesses, and to present oral argument or written briefs; their respective rights to the reading of the transcript by the Commission pursuant to Section 536.080.2, RSMo 1994; and their respective rights to seek rehearing pursuant to Section 386.500 RSMo 1994 and to seek judicial review pursuant to Section 386.510, RSMo. 1994. The parties agree to cooperate with the Applicant and with each other in presenting this Stipulation and Agreement for approval to the Commission and shall take no action, direct or indirect, in opposition to the request for approval of the Excel application made herein.

16. The Staff may submit a Staff Recommendation concerning matters not addressed in this Stipulation. In addition, if requested by the Commission, the Staff shall have the right to submit to the Commission a memorandum explaining its rationale for entering into this Stipulation and Agreement. Each party of record and participant herein shall be served with copy of any memorandum and shall be entitled to submit to the Commission, within five (5) days of receipt of Staff's memorandum, a responsive memorandum which shall also be served on all parties and participants. All memoranda

submitted by the parties shall be considered privileged in the same manner as settlement discussions under the Commission's rules, shall be maintained on a confidential basis by all parties and participants, and shall not become a part of the record of this proceeding or bind or prejudice the party submitting such memorandum in any future proceeding or in this proceeding whether or not the Commission approves this Stipulation and Agreement. The contents of any memorandum provided by any party are its own and are not acquiesced in or otherwise adopted by the other signatories to the Stipulation and Agreement, whether or not the Commission approves and adopts this Stipulation and Agreement.

The Staff shall also have the right to provide, at any agenda meeting at which this Stipulation and Agreement is noticed to be considered by the Commission, whatever oral explanation to the Commission requests, provided that the Staff shall, to the extent reasonably practicable, provide the other parties and participants with advance notice of when the Staff shall respond to the Commission's request for such explanation once such explanation is requested from Staff. Staff's oral explanation shall be subject to public disclosure.

WHEREFORE, the signatories respectfully request the Commission to issue its Order approving the terms of this Stipulation and Agreement and issue its Order granting authority and classification as requested by Excel, subject to the conditions described above, as expeditiously as possible.

Respectfully submitted,

Julia Waysdorf *By CBS*  
Julia Waysdorf, Esq.

Karen M. Eisenhauer, Esq.  
Swidler & Berlin, Chartered  
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Washington D.C. 20007

and

Charles Brent Stewart

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FOR: Excel Telecommunications, Inc.

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FOR: Staff of the Missouri Public Service  
Commission

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Michael F. Dandino 24590  
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Jefferson City, Missouri 65102

FOR: Office of the Public Counsel and  
the Public

Sondra Morgan *By CBS*

Sondra Morgan  
Brydon, Swearingen, & England  
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FOR: The Small Telephone Company  
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and Fidelity Telephone Company

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GTE Midwest, Incorporated  
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Wentzville, Missouri 63385

FOR: GTE Midwest Incorporated

*Paul S. DeFord by CBS*

Paul S. DeFord 29509  
Lathrop & Gage L.C.  
2345 Grand Boulevard  
Kansas City, Missouri 64108-2684

FOR: AT&T Communications of the  
Southwest, Inc.

CASE NO. TA-97-8  
EXCEL TELECOMMUNICATIONS, INC.

Excel's certificate application requests authority to provide service in those exchanges currently served by Southwestern Bell Telephone Company, GTE Midwest Incorporated, and United Telephone Company. Attached hereto as Late Filed Exhibit III are copies of the relevant tariffs, currently on file for these three local exchange telecommunications companies, which specifically list said exchanges in which Excel seeks to provide service.

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OCT 3 - 1996  
MISSOURI  
PUBLIC SERVICE COMMISSION

UNITED TELEPHONE COMPANY  
OF MISSOURI

GENERAL EXCHANGE TARIFF

First Revised Page 2  
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LOCAL EXCHANGE SERVICE RATE GROUPS

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Public Service Commission

I. ACCESS LIMITS AND EXCHANGES BY RATE GROUPS: (Cont'd)

B. EXCHANGES IN EACH RATE GROUP IN "A" ABOVE

I

Appleton City	Blackburn	Blairstown	Brazito	(MT)
Calhoun	Camden Point	Centertown	Centerview	
Chilhowee	Clarksburg	Coal	Craig	
Dearborn	Deepwater	Edgerton	Eugene	
Fairfax	Green Ridge	Hardin	Henrietta	
Holt	Hopkins	Houstonia	Ionia	
King City	Kingsville	Leeton	Lincoln	
Malta Bend	Missouri City	Montrose	New Bloomfield	
Newburg	Norborne	Orrick	Otterville	
Pickering	Russellville	St. Thomas	Smithton	
Strasburg	Sweet Springs	Syracuse	Taos	
Tarkio	Tipton	Urich	Waverly	
Wellington				(MT)

II

Buckner	Butler	California	Cole Camp	
Holden	Kearney	Lake Intawana	Lexington	(MT)
Lone Jack	Mound City	Odessa	Platte City	
Pleasant Hill	Richland	St. Robert	Waynesville	
Weston	Windsor			(MT)

III

Clinton	Ferrelview	Ft. Leonard Wood	Harrisonville	(MT)
Lebanon	Maryville	Oak Grove	Rolla	
Salem	Warrensburg	Warsaw		(MT)

IV

Jefferson City

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94 - 237

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Page 2 of 16

ISSUED:  
February 3, 1994

BY: John L. Roe  
Vice President - Administration  
5454 West 110th Street  
Overland Park, Kansas 66211

EFFECTIVE:  
~~March 8, 1994~~

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GENERAL AND LOCAL EXCHANGE TARIFF

LOCAL EXCHANGE SERVICE

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G. Local Exchange Listings

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1. Exchange Listings (Includes EAS Points, EAS Rate Component, Rate Schedule and Rate Group)

MISSOURI  
 Public Service Commission

Exchange Name	EAS Points	EAS Rate Component		Rate Sch./Group
		Bus.	Res.	
Alton	Thomasville	\$ 1.80	\$ 1.80	A-2
Amazonia	Savannah	4.50	2.45	A-1
Annapolis	-	-	-	A-1
Arcola	Greenfield	3.20	3.20	A-1
Ashland	Columbia	2.85	1.55	A-2
Augusta	-	-	-	Metro
Aurora	-	-	-	A-3
Ava	-	-	-	A-3
Avenue City	Cosby, Helena, Savannah	4.90	2.65	A-1
Avilla	-	-	-	A-1
Belgrade	-	-	-	A-1
Belle	-	-	-	A-2
Belleview	-	-	-	A-1
Birch Tree	-	-	-	A-1
Bland	-	-	-	A-1
Blue Eye	-	-	-	A-2
Bolckow	Rosendale, Savannah, Whitesville	6.95	3.75	A-1
Boss	-	-	-	A-1
Bourbon	-	-	-	A-2
Bradleyville	Forsyth	.75	.75	A-1
Branson	Branson West	1.65	1.65	A-4
Branson West	Branson	2.65	2.65	A-2

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GTE MIDWEST INCORPORATED

PSC NO. NO. 1

Section 4

1st Revised Sheet 7

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GENERAL AND LOCAL EXCHANGE TARIFF

LOCAL EXCHANGE SERVICE

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G. Local Exchange Listings (Cont'd)

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1. Exchange Listings (Includes EAS Points, EAS Rate Component, Rate Schedule and Rate Group) (Cont'd)

MISSOURI  
Public Service Commission

Exchange Name	EAS Points	EAS Rate Component		Rate Sch./Group
		Bus.	Res.	
Braymer	-	-	-	A-1
Bronaugh-Moundville	-	-	-	A-1
Brunswick (Triplett)	-	-	-	A-1
Buffalo	-	-	-	A-3
Bunker	-	-	-	A-1
Cabool	-	-	-	A-2
Caledonia	-	-	-	A-1
Cameron	Kidder	\$ .40	\$ .20	A-3
Canton	-	-	-	A-2
Cape Fair	-	-	-	A-2
Cassville	Exeter, Jenkins, Mano, Washburn	2.90	2.90	A-3
Caulfield	Gainesville	3.10	3.10	A-2
Cedar Creek	Forsyth	.75	.75	A-1
Centerville	-	-	-	A-1
Centralia	Clark, Sturgeon	.55	.30	A-2
Chamois	-	-	-	A-1
Clarence	-	-	-	A-1
Clark	Centralia, Sturgeon	3.55	1.90	A-1
Clarksdale	-	-	-	A-1
Collins	-	-	-	A-1
Columbia	Ashland, Hallsville, Rocheport	.30	.15	A-5
Concordia	-	-	-	A-2
Conway	-	-	-	A-2

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GENERAL AND LOCAL EXCHANGE TARIFF

LOCAL EXCHANGE SERVICE

MISSOURI  
Public Service Commission

G. Local Exchange Listings (Cont'd)

1. Exchange Listings (Includes EAS Points, EAS Rate Component, Rate Schedule and Rate Group) (Cont'd)

FEB 21 1996

MISSOURI  
Public Service Commission

Exchange Name	EAS Points	EAS Rate Component		Sch./Group	
		Bus.	Res.		
Cosby	Avenue City, Helena, Savannah	\$9.45	\$5.10	A-1	
Crane	-	-	-	A-2	(D)
Cross Timbers	-	-	-	A-1	
Cuba	-	-	-	A-3	
Dadeville	-	-	-	A-1	
Dalton	Keytesville	2.35	2.35	A-1	
Dardenne/ Lake St. Louis	-	-	-	Metro	
Defiance	-	-	-	Metro	
Dora	Gainesville	3.65	3.65	A-1	(D)
Easton	Gower	1.10	.60	A-1	(D)
Edgar Springs	-	-	-	A-1	
Eldorado Springs	Schell City, Walker	2.45	2.45	A-3	
Elkland	Marshfield	1.90	1.90	A-1	
Ellsinore	-	-	-	A-1	
Elmer	La Plata	3.20	3.20	A-1	
Eminence	-	-	-	A-1	
Everton	-	-	-	A-1	
Ewing	-	-	-	A-1	
Exeter	Cassville, Washburn	3.65	3.65	A-1	

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 Section 4  
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GENERAL AND LOCAL EXCHANGE TARIFF

LOCAL EXCHANGE SERVICE

G. Local Exchange Listings (Cont'd)

I. Exchange Listings (Includes EAS Points, EAS Rate Component, Rate Schedule and Rate Group) (Cont'd)

<u>Exchange Name</u>	<u>EAS Points</u>	<u>EAS Rate Component</u>		<u>Rate Sch./Group</u>
		<u>Bus.</u>	<u>Res.</u>	
Fillmore	Rosendale, Savannah	\$5.60	\$3.05	A-1
Foley	Old Monroe, Winfield	3.45	3.45	A-1
Fordland	-	-	-	A-2
Foristell	Wright City	1.00	1.00	Metro
Forsyth	Bradleyville, Cedar Creek, Protom	1.75	1.75	A-3
Fremont	-	-	-	A-1
Gainesville	Caulfield, Dora, Theodosia, Wasola	3.65	3.65	A-2
Galena	-	-	-	A-2
Golden City	-	-	-	A-1
Gorin	-	-	-	A-1
Gower	Easton, Plattsburg	2.00	1.10	A-1
Greenfield	Arcola	1.80	1.80	A-2
Grovespring	Hartville, Manes	3.65	3.65	A-1
Hallsville	Columbia	3.70	2.00	A-2
Hamilton	Kidder, Kingston	.80	.45	A-2
Hartville	Grovespring, Manes	2.95	2.95	A-2
Hawk Point	Troy	3.65	3.65	A-1
Helena	Avenue City, Cosby, Savannah	5.75	3.10	A-1

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## GENERAL AND LOCAL EXCHANGE TARIFF

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## G. Local Exchange Listings (Cont'd)

## 1. Exchange Listings (Includes EAS Points, EAS Rate Component, Rate Schedule and Rate Group) (Cont'd)

<u>Exchange Name</u>	<u>EAS Points</u>	<u>EAS Rate Component</u>		<u>Rate Sch./Group</u>
		<u>Bus.</u>	<u>Res.</u>	
Hermann	-	-	-	A-2
Hermitage	-	-	-	A-1
High Hill	-	-	-	A-1
Highlandville	Ozark	\$2.65	\$2.65	A-2
Holstein	-	-	-	A-1
Houston	Raymondville, Roby	2.80	2.80	A-2
Humansville	-	-	-	A-2
Hunnewell	-	-	-	A-1
Hurley	-	-	-	A-1
Irondale	-	-	-	A-1
Ironton	-	-	-	A-3
Jamestown	-	-	-	A-1
Jenkins	Cassville	3.65	3.65	A-1
Jerico Springs	-	-	-	A-1
Jonesburg	-	-	-	A-1
Kahoka	Luray, Revere, Wayland	.95	.50	A-2
Keytesville	Dalton	2.35	2.35	A-1
Kidder	Cameron, Hamilton	6.10	3.30	A-1
Kimberling City	-	-	-	A-2
Kingston	Hamilton	1.40	.75	A-1
Koshkonong	Thayer	3.15	3.15	A-1

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Effective: September 15, 1994

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GENERAL AND LOCAL EXCHANGE TARIFF

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LOCAL EXCHANGE SERVICE

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G. Local Exchange Listings (Cont'd)

MISSOURI

1. Exchange Listings (Includes EAS Points, EAS Rate Component, Rate Schedule and Rate Group) (Cont'd)

Exchange Name	EAS Points	EAS Rate Component		Rate Sch./Group
		Bus.	Res.	
LaBelle	-	-	-	A-1
Ladonia	-	-	-	A-1
LaGrange	-	-	-	A-1
La Plata	Elmer	\$1.80	\$1.80	A-2
Lawson	-	-	-	A-2
Leasburg	-	-	-	A-1
Lesterville	-	-	-	A-1
Lewistown	-	-	-	A-1
Licking	-	-	-	A-2
Louisburg	-	-	-	A-1
Lowry City	-	-	-	A-1
Macon	-	-	-	A-3
Manes	Grovespring, Hartville	3.65	3.65	A-1
Mano	Cassville	3.65	3.65	A-2
Mansfield	-	-	-	A-2
Marshfield	Elkland	.90	.90	A-3
Marthasville	-	-	-	A-1
Maysville	-	-	-	A-2
Milo	Nevada, Sheldon	3.65	3.65	A-1
Monroe City	-	-	-	A-2
Montauk Park	-	-	-	A-1
Monticello	-	-	-	A-1
Morrison	-	-	-	A-1
Moscow Mills	Troy	3.65	3.65	A-1
Mount Sterling	-	-	-	A-1
Mt. Vernon	-	-	-	A-3
Mtn. Grove	-	-	-	A-3
Mtn. View	-	-	-	A-3

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GENERAL AND LOCAL EXCHANGE TARIFF

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LOCAL EXCHANGE SERVICE

JUL 1 1996

G. Local Exchange Listings (Cont'd)

MISSOURI

1. Exchange Listings (Includes EAS Points, EAS Rate, Component, Rate Schedule and Rate Group) (Cont'd)

Exchange Name	EAS Points	EAS Rate Component		Rate Sch./Group
		Bus.	Res.	
Nebo	-	-	-	A-1
New Melle	-	-	-	Metro
Niangua	-	-	-	A-1
Norwood	-	-	-	A-1
Oates	-	-	-	A-1
O'Fallon	-	-	-	Metro
Old Monroe	Foley, Winfield	\$3.30	\$3.30	A-1
Osborn	-	-	-	A-1
Osceola	-	-	-	A-2
Ozark	Highlandville	2.15	2.15	A-3
Palmyra	-	-	-	A-2
Paris	-	-	-	A-2
Perry	-	-	-	A-1
Pittsburg	-	-	-	A-1
Plattsburg	Gower, Trimble, Turney	1.80	1.00	A-2
Potosi	-	-	-	A-3
Prairie Home	-	-	-	A-1
Preston	-	-	-	A-1
Protem	Forsyth	.75	.75	A-1

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95-142

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Issued: July 1, 1996

Effective: August 1, 1996

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GENERAL AND LOCAL EXCHANGE TARIFF

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LOCAL EXCHANGE SERVICE

MISSOURI

Public Service Commission

G. Local Exchange Listings (Cont'd)

1. Exchange Listings (Includes EAS Points, EAS Rate Component, Rate Schedule and Rate Group) (Cont'd)

<u>Exchange Name</u>	<u>EAS Points</u>	<u>EAS Rate Component</u>		<u>Rate Sch./Group</u>
		<u>Bus.</u>	<u>Res.</u>	
Raymondville	Houston	\$3.30	\$3.30	A-1
Reeds Spring	-	-	-	A-2
Revere	Kahoka	2.90	2.90	A-1
Roby	Houston	3.45	3.45	A-1
Rocheport	Columbia	6.15	3.35	A-1
Rockaway Beach	-	-	-	A-2
Rockville	Schell City	2.00	2.00	A-1
Rosendale	Bolckow, Fillmore, Savannah, Whitesville	7.90	4.25	A-1
St. James	Safe	.10	.10	A-3
St. Peters	Harvester	1.00	1.00	Metro
Safe	St. James	.75	.75	A-1
Santa Fe	-	-	-	A-1
Sarcoxie	-	-	-	A-2
Savannah	Amazonia, Avenue City, Bolckow, Cosby, Fillmore, Helena, Rosendale, Whitesville	2.60	1.40	A-3
Schell City	Eldorado Springs, Rockville, Walker	3.65	3.65	A-1
Seymour	-	-	-	A-2
Shelbina	-	-	-	A-2
Shelbyville	-	-	-	A-1
Sheldon	Milo	2.60	2.60	A-1
Shell Knob	-	-	-	A-2

Attachment B  
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Regional Director-External Affairs  
Wentzville, Missouri

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GENERAL AND LOCAL EXCHANGE TARIFF

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LOCAL EXCHANGE SERVICE

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G. Local Exchange Listings (Cont'd)

1. Exchange Listings (Includes EAS Points, EAS Rate, Component Rate, Schedule and Rate Group) (Cont'd)

MISSOURI  
PUBLIC SERVICE COMMISSION

Exchange Name	EAS Points	EAS Rate Component		Rate Sch./Group
		Bus.	Res.	
Sparta	-	-	-	A-2
Stewartsville	-	-	-	A-1
Stoutsville	-	-	-	A-1
Sturgeon	Centralia, Clark	\$1.95	\$1.05	A-1
Summersville	-	-	-	A-2
Thayer	Koshkonong, Mammoth Springs, AR	2.35	2.35	A-2
Theodosia	Gainesville, Wasola	3.65	3.65	A-1
Thomasville	Alton	3.20	3.20	A-1
Timber	-	-	-	A-1
Trimble	Plattsburg	4.15	2.25	A-1
Troy	Hawk Point, Moscow Mills	2.50	2.50	A-3
Truxton	-	-	-	A-1
Turney	Plattsburg	5.15	2.80	A-1
Urbana	-	-	-	A-2
Van Buren	-	-	-	A-2
Vanzant	-	-	-	A-1
Vichy	-	-	-	A-1

(D)

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1.3 EXCHANGE BY RATE GROUP

1.3.1 Rate Group A(4)

MISSOURI  
Public Service Commission

Adrian(1)(2)(5)	Carrollton(2)(3)(5)	Grain Valley
Advance(1)(2)(5)	Caruthersville(1)(3)(5)	(1)(3)(5)
Agency(1)(5)	Center(2)(5)	Gray Summit(1)(3)(5)
Altenburg-Frohna	Chaffee(1)(3)(5)	(CP) Greenwood(1)(3)(5)
(1)(2)(5)	Charleston(1)(3)(5)	Hayti(1)(3)(5)
Antonia(1)(3)(5)	Clarksville(1)(2)(5)	Herculaneum-Pevely
Archie(1)(2)(5)	Clever(1)(3)(5)	(1)(3)(5)
Argyle(2)(5)	(CP) Climax Springs(2)(5)	Higbee(1)(3)(5)
Armstrong(1)(2)(5)	Deering(1)(3)(5)	Hillsboro(1)(3)(5)
Ash Grove(2)(5)	DeKalb(1)(5)	Holcomb(1)(3)(5)
Beaufort(2)(5)	Delta(1)(2)(5)	Hornersville
Bell City(1)(2)(5)	Downing(2)(5)	(1)(2)(5)
Benton(1)(3)(5)	East Prairie(1)(5)	Jasper(2)(5)
Billings(1)(2)(5)	Edina(2)(5)	Knob Noster(2)(5)
Bismarck(1)(3)(5)	Elsberry(1)(2)(5)	Lamar(2)(5)
Bloomfield(1)(3)(5)	Essex(1)(3)(5)	LaMonte(2)(5)
Bloomsdale(1)(2)(5)	Eureka(1)(5)	Lancaster(2)(5)
Bonne Terre(1)(3)(5)	(CP) Farley(2)(5)	Leadwood(1)(3)(5)
Boonville(1)(2)(5)	Fayette(1)(2)(5)	Lilbourn(1)(2)(5)
Bowling Green(2)(5)	Fisk(1)(3)(5)	(CP) Linn(2)(5)
Brookfield(2)(5)	Frankford(2)(5)	Lockwood(2)(5)
Campbell(2)(5)	(CP) Fredericktown(2)(5)	Louisiana(1)(2)(5)
Cardwell(1)(2)(5)	Freeburg(2)(5)	Macks Creek(2)(5)
Carl Junction(1)(3)(5)	Gideon(1)(2)(5)	Malden(1)(2)(5)
	Glasgow(1)(3)(5)	(CP) Marble Hill(2)(5)
		Marceline(2)(5)
		Marionville(2)(5)
		Marston(1)(2)(5)
		Meta(2)(5)

- (1) Extended Area Service - See Paragraph 1.4.
- (2) Message Rate Business Service not offered.
- (3) Message Rate Business Service obsolete - limited to existing customers
- (4) See Paragraph 1.1.3, preceding.
- (5) One-party service only available.

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MAR 30 1996

By HORACE WILKINS, JR., President-Missouri  
Southwestern Bell Telephone Company  
St. Louis, Missouri

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P.S.C. Mo.-No. 24

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LOCAL EXCHANGE TARIFF  
39th Revised Sheet 6.01  
Replacing 38th Revised Sheet 6.01

LOCAL EXCHANGE TARIFF

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1.3 EXCHANGES BY RATE GROUP-(Continued)

JAN 19 1996

1.3.1 Rate Group A-(Continued) (4)

MISSOURI  
Public Service Commission

- |      |                                 |                           |                    |
|------|---------------------------------|---------------------------|--------------------|
| (MT) | Montgomery City(1) (2) (5)      | Rushville(1) (5)          | Trenton(1) (3) (5) |
|      | Morehouse(1) (3) (5)            | Ste. Genevieve(1) (2) (5) | Tuscumbia(1)       |
|      | New Franklin(1) (3) (5)         | St. Marys(1) (3) (5)      | (3) (5)            |
|      | New Madrid(1) (2) (5)           | San Antonio(1) (5)        | Versailles(1)      |
|      | Oak Ridge(1) (3) (5)            | Scott City(1) (3) (5)     | (3) (5)            |
|      | Old Appleton(1) (3) (5)         | Senath(1) (3) (5)         | Vienna(2) (5)      |
|      | Oran(1) (2) (5)                 | Slater(2) (5)             | Walnut Grove       |
| (MT) | Patton(2) (5)                   | Smithville(1) (3) (5)     | (2) (5)            |
|      | Paynesville (1) (2) (5)         | Stanberry(2) (5)          | Wardell(1) (2) (5) |
|      | Pierce City(1) (2) (5)          |                           | Ware(1) (3) (5)    |
|      | Pocohontas-New Wells(1) (3) (5) |                           | Wellsville(2) (5)  |
| (MT) | Portage Des Sioux(2) (5)        |                           | Westphalia(2) (5)  |
|      | Portageville(1) (2) (5)         |                           | Wyatt(1) (2) (5)   |
|      | Puxico(2) (5)                   |                           |                    |
|      | Qulin(1) (3) (5)                |                           |                    |
|      | Richmond(2) (5)                 |                           |                    |
|      | Richwoods(2) (5)                |                           |                    |
|      | Risco(1) (2) (5)                |                           |                    |

- (1) Extended Area Service - See Paragraph 1.4.
- (2) Message Rate Business Service not offered.
- (3) Message Rate Business Service obsolete - limited to existing customers.
- (4) See Paragraph 1.1.3, preceding.
- (5) One-party service only available.

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FEB 20 1996

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LOCAL EXCHANGE TARIFF

1.3 EXCHANGES BY RATE GROUP-(Continued)

FEB 29 1996

1.3.2 Rate Group B(4)

MISSOURI  
Public Service Commission

- |                              |                                 |
|------------------------------|---------------------------------|
| Camdenton(1)(2)(5)           | Lake Ozark-Ozark Beach(1)(2)(5) |
| Cape Girardeau(1)(2)(5)      | Manchester(1)(5)                |
| Carthage(2)(5)               | Marshall(2)(5)                  |
| Cedar Hill(1)(2)(5)          | Maxville(1)(5)                  |
| Chesterfield(1)(5)           | Mexico(2)(5)                    |
| Chillicothe(2)(5)            | Monett(1)(3)(5)                 |
| DeSoto(1)(2)(5)              | Moberly(1)(2)(5)                |
| Dexter(1)(2)(5)              | Neosho(2)(5)                    |
| Eldon(1)(3)(5)               | Nevada(1)(2)(5)                 |
| Excelsior Springs(5)         | Pacific(1)(2)(5)                |
| (CP) Farmington(1)(2)(5)     | Perryville(1)(2)(5)             |
| Fenton(1)(5)                 | Pond(1)(5)                      |
| Festus-Crystal City(1)(2)(5) | (CP) Poplar Bluff(1)(2)(5)      |
| Flat River(1)(2)(5)          | St. Charles(1)(2)(5)            |
| Fulton(2)(5)                 | St. Clair(3)(5)                 |
| Gravois Mills(1)(2)(5)       | St. Joseph(1)(5)                |
| Hannibal(2)(5)               | Sedalia(2)(5)                   |
| Harvester(1)(5)              | Sikeston(1)(2)(5)               |
| High Ridge(1)(5)             | Union(1)(2)(5)                  |
| Imperial(1)(2)(5)            | Valley Park(1)(5)               |
| Jackson(1)(2)(5)             | Washington(3)(5)                |
| Joplin(1)(2)(5)              | Webb City(1)(2)(5)              |
| Kennett(1)(2)(5)             |                                 |
| Kirksville(2)(5)             |                                 |

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- (1) Extended Area Service - See Paragraph 1.4.
- (2) Message Rate Business Service obsolete-limited to existing customers MAR 30 1996
- (3) Message Rate Business Service not offered.
- (4) See Paragraph 1.1.3, preceding.
- (5) One-party service only available.

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(AT) 1.3 EXCHANGES BY RATE GROUP-(Continued)

(FC) 1.3.3 Rate Group C(2)

Springfield Metropolitan Exchange

Principal Zone  
-Principal Zone Base Rate Area(3)

Metropolitan Calling Area-1 (MCA-1) Zones

- Fair Grove(3)
- Nixa(1)(3)
- Republic(1)(3)
- Rogersville(3)
- Strafford(3)
- Willard(3)

- (1) Extended Area Service - See Paragraph 1.4.
- (2) See Paragraph 1.1.3, preceding.
- (3) One-party service only available.

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1.3 EXCHANGES BY RATE GROUP- (Continued)

1.3.4 Rate Group D(1)

Kansas City Metropolitan Exchange

St. Louis Metropolitan Exchange

MISSOURI  
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Principal Zone(2)

Principal Zone (2)

Metropolitan  
Calling Area-1 Zones  
Gladstone(2)  
Independence(2)  
Parkville(2)  
Raytown(2)  
South Kansas City(2)

Metropolitan  
Calling Area-1 Zones  
Ferguson(2)  
Ladue(2)  
Mehlville(2)  
Overland(2)  
Riverview(2)  
Sappington(2)  
Webster Groves(2)

Metropolitan  
Calling Area-2 Zones  
Belton(2)  
Blue Springs(2)  
East Independence(2)  
Lee's Summit(2)  
Liberty(2)  
Nashua(2)  
(CP) Tiffany Springs(2)

Metropolitan  
Calling Area-2 Zones  
Bridgeton(2)  
Creve Coeur(2)  
Florissant(2)  
Kirkwood(2)  
Oakville(2)  
Spanish Lake(2)

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MAR 30 1996

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(1) See Paragraph 1.1.3, preceding.  
(2) One-party service only available.

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