

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

In the Matter Of An Investigation into)	
the Adequacy of the Local Calling Scopes of)	
SBC Local Exchanges of Washington, Union,)	Case No. TO-2003-0298
St. Clair, and Beaufort In and Around)	
Franklin County)	

**SOUTHWESTERN BELL TELEPHONE, L.P., D/B/A SBC MISSOURI'S
RESPONSE TO MOTION TO HOLD PUBLIC HEARINGS**

Comes now Southwestern Bell Telephone, L.P., d/b/a SBC Missouri ("SBC Missouri") and, for its Response to Motion to Hold Public Hearings, states as follows:

1. On May 15, 2003, the Office of Public Counsel ("OPC") filed a Motion to Hold Public Hearings. In that Motion, OPC requests the Missouri Public Service Commission ("Commission") to schedule public hearings to allow residents of the exchanges affected by this investigation to comment on the level of local service they receive, as well as the adequacy of the local calling scope.

2. It is not appropriate to conduct public hearings at this time for several reasons. First, there are outstanding issues with respect to whether the Commission has the authority to order a new service or calling plan that changes the calling scopes of a company's existing offered service(s).¹ SBC Missouri addresses this issue in a separate pleading, entitled: "Southwestern Bell Telephone, L.P., d/b/a SBC Missouri's Written Comments Following The May 16, 2003 Prehearing Conference" which SBC Missouri is filing simultaneously with this pleading. Second, the Commission should allow sufficient time for the competitive market to work--competition will result in the development of services that are responsive to customers' demands.² There are over seven hundred (700) interexchange carriers certificated to provide

¹ T. at 12, Conroy.

² T. at 17, Conroy.

service in Missouri, over one hundred (100) competitive local exchange carriers have interconnection agreements with SBC Missouri, and there are several wireless carriers operating in the state. These carriers are competing to provide services to customers in Missouri and the competitive marketplace should be allowed to work. Third, it is premature to conduct public hearings as there is no specific alternative plan or a specific price (or range) to discuss with the public.³ Absent a plan and a specific price (or range) to discuss with the public, customers would be unable to provide any meaningful comments.

3. The Staff of the Missouri Public Service Commission ("Staff") supports SBC Missouri's position that public hearings are premature at this time. At the Prehearing Conference, Staff stated: "Also Staff believes specifically as to the request for a public hearing - that that may also be premature at this time at least until some of the issues are more fully fleshed out."⁴

4. Even OPC is equivocal about its request for public hearings and conceded that such hearings may be premature. At the Prehearing Conference, OPC states: "You know, we're not necessarily trying to push it [public hearings]. If the Commission wants to go forward with this at an early time, we wanted to give the dates and some possible -- and possible locations."⁵ In response to this statement, Judge Ruth stated:

Okay. And since you brought that up, I will mention that the Commission does appreciate it when parties offer sites for the local public hearing. That's very helpful.

And I'll make a note that although you recommended specific dates, you're not necessarily opposed to the Commission deciding that a public hearing might be appropriate, but that it's premature at this point.⁶

³ T. at 12, Conroy.

⁴ T. at 10, Bates.

⁵ T. at 10-11, Dandino.

⁶ T. at 11, Judge Ruth.

OPC responded: "That's -- that's correct."⁷

Wherefore, Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, prays the Commission denies the Office of Public Counsel's Motion to Hold Public Hearings, together with any additional and further relief the Commission deems just and proper.

Respectfully submitted,

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CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on May 27, 2003.


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⁷ T. at 11, Dandino.