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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 September, 1998.

In the Matter of Southwestern Bell Telephone)
Company's Tariff Filing to Revise Its Wireless) **Case No. TT-99-84**
Carrier Interconnection Service Tariff,) (Tariff File #9900106)
P.S.C. Mo.-No. 40.)
)

ORDER SUSPENDING TARIFF
AND SETTING EARLY PREHEARING CONFERENCE

Southwestern Bell Telephone Company (SWBT) submitted certain tariff sheets for Commission approval on August 6, 1998. The tariff sheets would make revisions in SWBT's Wireless Carrier Interconnection Service Tariff, P.S.C. Mo.-No. 40, permitting a wireless carrier's point of termination to be relocated. The tariff revisions, File No. 9900106, carry an effective date of September 6, 1998. On September 1 the Commission approved File No. 9900106 to become effective on September 6. However, before the effective date a motion to suspend the tariff was filed and this case was established to consider the motion.

The Mid-Missouri Group¹ (MMG) filed a Motion to Suspend and an Application to Intervene on August 28. MMG states that it has an interest in this case different from that of the general public because its members own and operate end offices to which SWBT transits or terminates wireless traffic pursuant to its wireless interconnection

¹ Alma Telephone Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, MoKan Dial, Inc., Modern Telecommunications Company, Northeast Missouri Rural Telephone Company, and Peace Valley Telephone Company.

tariff, P.S.C. Mo.-No. 40. MMG asks the Commission to suspend the tariff revisions filed on August 6 on the following grounds:

a) The tariff language is unclear, particularly in that "point of presence" is not defined;

b) The revision would make it more difficult to determine which carrier is the originating carrier;

c) It is unclear whether the rerouting provision could be applied to traffic other than wireless traffic; and

d) The revision in tariff language "provides no indication or assurance that any of the Mid-Missouri Group interests or concerns have been considered, despite extensive past litigation before this Commission."

The Staff of the Commission (Staff) prepared a memorandum on August 26 which was filed in the official case filed on September 3, recommending approval. Staff stated that the revision introduces a wireless usage study available to wireless carriers for a one-time charge of \$145.00 per trunk group, plus a service and equipment charge of \$8.50 per trunk group. Staff stated that the revision would also permit a wireless carrier to locate its point of presence (POP) at another carrier's POP. Staff had no objections to approval of this proposed tariff revision.

The Commission has reviewed the tariff sheets, MMG's Application to Intervene and Motion to Suspend, and Staff's recommendation. The Commission finds that the Application to Intervene is in substantial compliance with the Commission's rules regarding intervention and that MMG has an interest in this case different from that of the general public. Therefore, MMG's Application to Intervene will be granted. The

Commission finds that MMG has raised legitimate concerns regarding the clarity, and the possible effects, of the revised tariff language submitted here for approval. In order to provide the Commission with additional time to consider the reasonableness of the tariff revisions, and permit a hearing if necessary, the Commission will suspend the tariff sheets for a period of 120 days, to January 4, 1999, or until otherwise ordered by this Commission. The Commission will schedule an early prehearing conference and set a date for the parties to propose a procedural schedule.

IT IS THEREFORE ORDERED:

1. That the effective date of the following tariff sheets, submitted on August 6, 1998, by Southwestern Bell Telephone Company, is suspended to January 4, 1999, or until otherwise ordered by the Commission.

P.S.C. Mo.-No. 40

3rd Revised Sheet 4, Replacing 2nd Revised Sheet 4
4th Revised Sheet 5, Replacing 3rd Revised Sheet 5
3rd Revised Sheet 20, Replacing 2nd Revised Sheet 20

2. That the Commission will conduct an early prehearing conference on September 22, 1998, at 10:00 a.m. in the Commission's Conference Room 3 in Room 530, Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

3. That anyone wishing to attend who has special needs as addressed by the Americans With Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the prehearing at one of the following numbers: Consumer Services Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

4. That the parties shall file a proposed procedural schedule no later than September 30, 1998.

5. That this order shall become effective on September 5, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Roberts, Chief Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION