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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 4th  
day of November, 1998.

In the Matter of Southwestern Bell Telephone     )  
Company's Tariff Sheets Designed to Eliminate     ) Case No. TT-99-169  
Certain Community Optional Service Routes.     ) (Tariff File 9900288)

ORDER APPROVING TARIFF

Southwestern Bell Telephone Company (SWBT) filed tariff sheets (Tariff File No. 9900288) on October 9, 1998, designed to eliminate eleven Community Optional Service (COS) routes. The tariff has an effective date of November 8.

The Small Telephone Company Group<sup>1</sup> (STCG) filed a motion to suspend the tariff and an application to intervene on October 19, arguing that "it would be inappropriate to allow this tariff to become effective before there has been a decision as to the appropriateness of allowing the implementation of . . . [intraLATA presubscription] in a target exchange [to] control the elimination of the service in a petitioning

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<sup>1</sup> For purposes of this proceeding, the Small Telephone Company group consists of: ALLTEL Missouri, Inc., BPS Telephone Company, Bourbeuse Telephone Company, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Inc., Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Fidelity Telephone Company, Goodman Telephone Company, Inc., Grand River Mutual Telephone Corporation, Green Hills Telephone Corporation, Holway Telephone Company, KLM Telephone Company, Kingdom Telephone Company, Lathrop 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, and Stoutland Telephone Company.

exchange." The STCG states that those issues are currently pending in Case No. TW-97-333.

On October 20 the Office of the Public Counsel (OPC) also filed a motion to suspend the tariff. OPC argues that it will be confusing to the public to eliminate some COS routes and not eliminate other COS routes.

SWBT filed a response to STCG and OPC's motions on October 29 stating that GTE and Sprint Missouri, Inc. (Sprint) are implementing intraLATA presubscription on the eleven target exchanges which correspond to petitioning exchanges for which SWBT is the Primary Toll Carrier (PTC). SWBT further states that alternative services including its 1+ Saver plans will be available to the customers of the secondary carriers where COS is being eliminated. SWBT also stated that it will refile a tariff to implement its LATA-wide Local Plus service which could be used as an alternative to COS<sup>2</sup>.

The Staff of the Commission (Staff) filed its Memorandum on October 29 recommending that the Commission approve the tariff filing. Staff stated that the proposed tariff filing is consistent with the Commission's February 17, 1998, order in Case No. TW-97-333, which indicates that COS should be phased out on or after June 1, 1998, and

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<sup>2</sup> On October 30, 1998, SWBT did in fact refile its Local Plus tariff in Case No. TT-99-191, offering a LATA-wide calling plan.

that each route shall be eliminated upon the implementation of intraLATA presubscription into either the target or the petitioning exchange of that route. Staff indicated that it had verified with GTE and Sprint Missouri, Inc. that intraLATA presubscription will be implemented by the date COS is eliminated. Staff also stated that a Sprint tariff which eliminates COS routes involving GTE and Southwestern Bell Telephone Company exchanges has already been approved by the Commission in Case No. TT-99-81.

The Commission has reviewed the tariff, motions to suspend and response, and Staff's recommendation in this case. In addition, the Commission takes note of its prior orders in TW-97-333. The February 17, 1998, order states in Ordered Paragraph 2 that COS "shall be phased-out on or after June 1, 1998, and that each Community Optional Service route shall be eliminated upon the implementation of intraLATA pre-subscription into either the target or the petitioning exchange of that route." On October 1, 1998, the Commission issued an order extending the deadline for the mandatory elimination of COS until after the final resolution of Case No. TO-97-217. This order did not prohibit the phasing out of COS routes prior to the date of mandatory elimination.

The Commission finds that SWBT's tariff filing is consistent with those orders as it eliminates the COS routes concurrently with the implementation of intraLATA presubscription. The Commission finds that SWBT's tariff filing is reasonable and in the public interest and should be approved. Because the Commission has fully considered the motion

filed by STCG and will close this case after approval of the tariff, the application for intervention is moot.

**IT IS THEREFORE ORDERED:**

1. That the motion to suspend tariff filed by the Small Telephone Company Group on October 19, 1998, is denied.

2. That the Motion to Suspend filed by the Office of the Public Counsel on October 20, 1998, is denied.

3. That the tariff sheets filed by Southwestern Bell Telephone Company on October 9, 1998, are approved for service on and after November 8, 1998. The tariff sheets approved are:

**P.S.C. MO.-No. 26**

6th Revised Sheet 33, Replacing 5th Revised Sheet 33  
16th Revised Sheet 39, Replacing 15th Revised Sheet 39  
18th Revised Sheet 40, Replacing 17th Revised Sheet 40  
9th Revised Sheet 41, Replacing 8th Revised Sheet 41  
14th Revised Sheet 42, Replacing 13th Revised Sheet 42  
3rd Revised Sheet 43, Replacing 2nd Revised Sheet 43

4. That this Order shall become effective on November 8, 1998.

5. That this case may be closed on November 9, 1998.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

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

Dippell, Regulatory Law Judge