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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 17th  
day of November, 1998.

In the Matter of the Application of )  
Southwestern Bell Telephone Company for )  
Designation as an Eligible Telecommunications ) Case No. TO-98-191  
Carrier Pursuant to 47 U.S.C. Sections 214(e) )  
And 254. )

ORDER AMENDING ORDER DESIGNATING ELIGIBLE  
TELECOMMUNICATIONS CARRIER

The Commission issued an order on December 23, 1997 approving a stipulation and agreement and designating Southwestern Bell Telephone Company (SWBT) as an eligible carrier pursuant to Section 254 of the Telecommunications Act of 1996. The Commission's Order made SWBT eligible to receive Federal Universal Service Support under 47 C.F.R. Section 54.201(d). When the Commission issued its order, 47 C.F.R. Section 54.101 required eligible carriers to provide toll limitation, which, as defined by the Federal Communications Commission (FCC), included toll control. The Commission granted SWBT status as an eligible carrier but granted it additional time to implement toll control because it did not have the technical capability to provide it. The Commission granted SWBT an extension of time until December 31, 1999 to provide toll limitations as defined by 47 C.F.R. Section 54.400, and required SWBT to file a report with the Commission by December 31, 1998 regarding the

status of the technology and progress being made toward implementing toll limitation.

SWBT filed a motion on October 30, 1998 asking the Commission to amend the December 23, 1997 order. SWBT stated that the FCC altered its stance on toll limitation in its Fourth Order on Reconsideration of the Universal Service Report and Order. The FCC's order recognized that providing customers a choice of toll blocking or toll control is not technically feasible for most companies. The FCC found that toll blocking would be sufficient to satisfy the Universal Service Fund requirements for eligible carriers, and that provision of toll control is not required. SWBT asked the Commission to amend the order granting eligible carrier status to recognize that it now meets the FCC's requirement for toll limitation, and to relieve SWBT of the duty to file reports and request waivers concerning toll limitations, and relieve it of the duty to implement toll control by December 31, 1999. No objections were filed to SWBT's request for relief.

The Commission has reviewed the official case file and the motion filed by SWBT and finds that the request is reasonable. Since the FCC has determined that the provision of toll control is not required for a company to meet the eligible carrier requirements, there is no need for the Commission to continue to enforce that requirement. Accordingly, the Commission will amend its December 23, 1997 order as requested.

**IT IS THEREFORE ORDERED:**

1. That the Motion of Southwestern Bell Telephone Company for amendment of order filed on October 30, 1998 is granted.

2. That the Order Approving Stipulation and Designation of Eligible Telecommunications Carrier issued on December 23, 1997 is amended to show that Southwestern Bell Telephone Company now provides services which satisfy the revised definition of toll limitations and are in compliance with the toll limitation requirements set out for Federal Universal Service Fund eligibility.

3. That the Order Approving Stipulation and Designation of Eligible Telecommunications Carrier issued on December 23, 1997 is amended to eliminate the extension of time until December 31, 1999 to provide toll limitation as defined by 47 C.F.R. Section 54.400, to eliminate the requirement that a report be filed with the Commission on December 31, 1998 regarding the status of the technology and progress being made toward implementing toll limitation, and to eliminate the requirement that Southwestern Bell Telephone Company file a request for additional time no later than November 1, 1999.

4. That this order shall become effective on November 27, 1998.

**BY THE COMMISSION**



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

( S E A L )

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

Woodruff, Regulatory Law Judge