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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 GTE Midwest Incorporated's )  
Tariff Sheets Designed to Eliminate Certain ) Case No. TT-99-174  
Community Optional Service Routes. ) (Tariff File 9900289)

ORDER APPROVING TARIFF

GTE Midwest Incorporated (GTE) filed tariff sheets (Tariff File No. 9900289) on October 9, 1998, designed to eliminate seven Community Optional Service (COS) routes effective November 9 and all remaining COS routes involving GTE exchanges effective December 9. The tariff also limits the offering of COS to existing customers effective November 9, and waives the nonrecurring service charges for a period of 60 days for its customers which convert from COS to its Extended Exchange Calling Plan (EECP). The tariff has an effective date of November 9.

On October 20 the Small Telephone Company Group<sup>1</sup> (STCG) and on October 21 the Mid-Missouri Group of Small Telephone Companies<sup>2</sup> (MMG)

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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.

<sup>2</sup> The Mid-Missouri Group of Small Telephone Companies did not include a list of its members as required by rule 4 CSR 240-060(1)(G). However, the MMG typically consist of the following companies: Alma Telephone

) filed motions to suspend the tariff and applications to intervene, 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 exchange." The STCG and MMG state that those issues are currently pending in Case No. TW-97-333.

On October 21 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.

) GTE filed a response to STCG's motion on October 26 stating that the Commission's order in Case No. TW-97-333 "provides for the elimination of a COS route upon the implementation of intraLATA presubscription (IPS) in either the petitioning or the target exchange." GTE also stated that it planned to complete the implementation of intraLATA presubscription in all its Missouri exchanges concurrently with the elimination of COS.

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

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

) indicates that COS should be phased out on or after June 1, 1998, and 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. (Sprint) that intraLATA presubscription will be implemented by the date COS is eliminated.

Staff also stated that it has no objection to GTE's proposal to limit the availability of COS to new customers or to the waiver of any applicable service connection charge for COS customers who convert to GTE's EECP which has been filed in Tariff No. 9800607. Further, Staff 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.

) On November 3 the STCG filed a reply to GTE's response to STCG's motion which stated that GTE's proposed EECP will be available in only one of the COS routes served by STCG members.

The Commission has reviewed the tariff, motions to suspend, responses, 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 does not prohibit the phasing out of COS routes prior to the date of mandatory elimination.

The Commission finds that GTE'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 GTE's tariff filing is reasonable and in the public interest and should be approved. Because the Commission has fully considered the motions filed by STCG and MMG, and will close this case after approval of the tariff, the applications to intervene are moot.

**IT IS THEREFORE ORDERED:**

1. That the motion to suspend tariff filed by the Small Telephone Company Group on October 20, 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 motion to suspend tariff filed by the Mid-Missouri Group of Small Telephone Companies on October 21, 1998 is denied.

4. That the tariff sheets filed by GTE Midwest Incorporated on October 9, 1998, are approved for service on and after November 9, 1998.

The tariff sheets approved are:

**PSC MO. No. 3**

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1st Revised Sheet 34, Cancels Original Sheet 34  
5th Revised Sheet 37, Cancels 4th Revised Sheet 37  
5th Revised Sheet 38, Cancels 4th Revised Sheet 38  
4th Revised Sheet 39, Cancels 3rd Revised Sheet 39  
5th Revised Sheet 40, Cancels 4th Revised Sheet 40  
1st Revised Sheet 41, Cancels Original Sheet 41  
3rd Revised Sheet 42, Cancels 2nd Revised sheet 42

5. That this Order shall become effective on November 9, 1998.
6. That this case may be closed on November 10, 1998.

BY THE COMMISSION



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

( S E A L )

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

Dippell, Regulatory Law Judge