

B-
Ro
mP
S

4/10
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Investigation by the Staff)
of the Missouri Public Service Commission into) Case No. TR-98-347
the Earnings of McDonald County Telephone)
Company.)
)

ORDER GRANTING INTERVENTION AND SCHEDULING
PREHEARING CONFERENCE

On February 13, 1998, the Staff of the Missouri Public Service Commission (Staff) and McDonald County Telephone Company (MCTC) moved the Commission to open a case for the purpose of considering the Stipulation and Agreement (agreement) reached between them. The Commission issued its Order Establishing and Giving Notice of Case on February 27, establishing a deadline of March 30 for applications to intervene.

Southwestern Bell Telephone Company (SWBT) filed an Application to Intervene and Request for Hearing on March 30. SWBT stated that it is not a party to the agreement and opposes it. SWBT stated that it is responsible for a significant percentage of MCTC's annual revenues and is currently MCTC's largest intrastate access services customer due to the access charges paid by SWBT to terminate its own customers' toll calls in MCTC's exchanges. SWBT opposes the agreement because of the proposed rate design under which MCTC seeks to reduce its level of earnings. SWBT stated that its interest cannot be adequately represented by any other party to the case, given its unique status as one of the largest customers of MCTC's services. SWBT requested a hearing pursuant to 4 CSR 240-2.115.

Also on March 30, AT&T Communications of the Southwest, Inc. (AT&T) filed an Application to Intervene. AT&T stated that its interests in this proceeding as a competitive telecommunications company are different from those of the general public. AT&T stated that it could be directly affected by the Commission's decision in this matter, because AT&T is a customer of MCTC.

The Commission finds that SWBT's and AT&T's applications are in substantial compliance with Commission rules regarding intervention and that SWBT and AT&T have interests in this matter which are different from those of the general public. The Commission finds that SWBT's and AT&T's requests for intervention should be granted. The Commission further finds that SWBT's request for a hearing should be granted.

The Commission finds that it should schedule a prehearing conference so that the parties can identify the issues in dispute and develop a proposed procedural schedule. The parties should be prepared to discuss the facts and stipulate to those facts which are not in dispute. The parties shall then file a recommended procedural schedule no later than May 11.

IT IS THEREFORE ORDERED:

1. That the applications for intervention filed by Southwestern Bell Telephone Company and AT&T Communications of the Southwest, Inc., are granted.

2. That the request for hearing filed by Southwestern Bell Telephone Company is granted.

3. That a prehearing conference is set in this matter for May 1, 1998, at 10:00 a.m. in Room 750 of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

4. That any persons with 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.

5. That the parties shall file a proposed procedural schedule no later than May 11, 1998.

6. That this order shall become effective on April 10, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Amy E. Randles, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1)
(November 30, 1995) and
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 10th day of April, 1998.