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**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

The Staff of the Missouri Public Service Commission,	)	
	)	
Complainant,	)	
v.	)	<u>Case No. TC-98-350</u>
	)	
Miller Telephone Company, a Missouri Corporation,	)	
	)	
Respondent.	)	

**ORDER GIVING NOTICE AND SETTING INTERVENTION PERIOD**

The Staff of the Missouri Public Service Commission (Staff) filed a Complaint on February 13, 1998 against Miller Telephone Company (Miller). The Commission issued a Notice of Complaint on February 23, which set a deadline of March 25 for Miller to file an answer or satisfy the complaint. Miller filed a Motion for Extension of Time to Answer or Satisfy Complaint on March 23, indicating that the parties were close to a settlement of all the issues in the complaint. On March 27, the Commission granted Miller an extension of time until April 8, and on that date the parties filed a Stipulation and Agreement.

Staff stated in the Stipulation that it conducted a per book review of Miller's earnings based upon the 12 months ending June 30, 1997. Staff and Miller executed a Stipulation and Agreement (Attachment A to this order) resolving the issues surrounding Staff's audit. The agreement calls for a reduction in Miller's revenues by approximately \$90,708 annually. The reduction would be accomplished by changes in certain rates which are more specifically set forth in the Stipulation. The parties also agreed that beginning with the first full month after the effective date of an

order approving the Stipulation, Miller would be authorized to accrue depreciation expense based on the depreciation rates set forth in Attachment A to the Stipulation. The Stipulation further states that Miller will provide draft tariff sheets incorporating the rate changes to Staff no later than April 22. The agreement states that none of the signatories have approved or acquiesced in any particular ratemaking or procedural principle or method of cost determination or allocation.

The Commission finds that interested persons should receive notice and an opportunity to intervene. The Commission's Records Department should send a copy of this order to the county commissioners of Miller County, and to the mayor of every city located in that county. The Records Department should also send a copy of this order to all certificated telecommunications carriers in Missouri. Any party wishing to intervene must file a written application to intervene no later than May 13, 1998 with the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102. Copies of the application must be served on:

W.R. England, III  
Brydon, Swearngen & England, P.C.  
312 East Capitol  
P.O. Box 456  
Jefferson City, MO 65102-0456

**IT IS THEREFORE ORDERED:**

1. That parties wishing to intervene shall file an application to intervene no later than May 13, 1998.
2. That the Commission's Records Department shall give notice as described in this order.

3. That this order shall become effective on April 13, 1998.

**BY THE COMMISSION**

A handwritten signature in dark ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, somewhat stylized script.

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

(S E A L)

Elaine E. Bensavage, 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 13th day of April, 1998.