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Sprint filed a response to OPC's motion on September 1 pointing out that the Commission has a long practice of allowing the grandfathering of certain services to specific customers despite the apparent unfairness of restricting a service offering to less than the entire customer base. Sprint stated that COS will be phased out beginning

November 9, 1998, and that, as it is phased out, it will no longer be available for any new customer. If this tariff is not approved, a new customer could subscribe to the service only to have it discontinued a short time later. Sprint believes it would be better to avoid this type of customer confusion and irritation.

The Mid-Missouri Group<sup>1</sup> (MMG) filed a motion to suspend the tariff on September 10, arguing that COS service should remain available to all customers until the Commission has determined when, and in what manner, it will be finally eliminated. MMG argues that allowing this tariff to go into effect would result in a discrepancy between customers residing in Sprint exchanges and secondary carrier exchanges that Sprint serves as primary toll carrier.

The Staff of the Commission (Staff) filed its Memorandum on September 22 recommending that the Commission approve the tariff filing. Staff pointed out that Sprint plans to eliminate COS in the areas affected by this tariff on November 9, 1998, presumably pursuant to its intraLATA presubscription implementation plan. No other service areas would be affected by the proposal. Staff agrees with Sprint that it makes little sense to allow customers to subscribe to a service which will be discontinued in a short period of time. Staff stated that the tariff proposal also waives any applicable service connection charges for existing COS customers who change to another intraLATA toll calling plan within 60 days after COS is eliminated.

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<sup>1</sup> Alma Telephone 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.

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 TO-97-217, TW-97-333, and particularly TO-97-253. In Case No. TO-97-253 the Commission approved Sprint's intraLATA presubscription implementation plan. That order was issued on May 6, 1997, and permits Sprint to implement intraLATA presubscription "with the exception that intraLATA dialing parity should not be implemented in COS . . . target exchanges . . . pending the outcome of Case No. TW-97-333." Although the Commission has extended the deadline for the mandatory elimination of COS service in order to coordinate it with the PTC Plan case and the implementation of intraLATA presubscription in secondary carrier exchanges, there is nothing in the Commission's order that would prohibit Sprint from voluntarily eliminating COS and implementing intraLATA presubscription in accordance with its already-approved implementation plan. The Commission agrees that permitting new customers to add a service which will be discontinued in a short period of time would create unnecessary customer confusion. The Commission finds that Sprint's tariff filing is reasonable and in the public interest and should be approved.

**IT IS THEREFORE ORDERED:**

1. That the Motion to Suspend Tariff filed by the Office of the Public Counsel on August 26, 1998 is denied.

2. That the Motion to Suspend Tariff filed by the Mid-Missouri Group on September 10, 1998 is denied.

3. That the tariff sheets filed by Sprint Missouri, Inc., d/b/a Sprint, on August 25, 1998 are approved as amended. The tariff sheets approved are:

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

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

( S E A L )

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

Wickliffe, Deputy Chief Regulatory Law Judge

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION