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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 27th  
day of January, 1995.

In the matter of IAMO Telephone )  
Company modernization plans pursuant ) CASE NO. TO-95-190  
to 4 CSR 240-32.100 to 4 CSR 240-32.100. )

**ORDER APPROVING STIPULATION AND AGREEMENT**

On December 22, 1994, the Commission established this case for the proceedings concerning IAMO Telephone Company's (IAMO) modernization plans pursuant to 4 CSR 240-32.100.

On January 13, 1995, IAMO, the Staff of the Commission (Staff), and the Office of the Public Counsel (Public Counsel) filed a Stipulation and Agreement (Stipulation) in this matter. The Stipulation (Attachment A to this Order and incorporated herein by reference) states that IAMO agrees to provide, and shall continue to provide, the minimum necessary elements for basic local and interexchange telecommunications service as prescribed in the modernization rule, with the exception of interLATA equal access, by January 31, 1995.

The Stipulation also states that IAMO will send a letter to interexchange carriers informing them of the date IAMO intends to provide equal access, and that IAMO will provide equal access no later than December 31, 1996. The letter is to be sent no later than six months prior to the date IAMO intends to provide equal access. The Stipulation also specifies that IAMO will comply with the requirements of the Federal Communications Commission Report and Order released March 19, 1985, in CC Docket No. 78-72, Phase III. In addition, the parties agree that if IAMO fulfills the terms of the Stipulation, IAMO will be

providing basic service by December 31, 1996. Furthermore, the Stipulation states that the requirement for IAMO to file its three, five, and seven-year modernization plans should be waived.

The Commission has reviewed IAMO's filings and the Stipulation in this matter. The Commission finds that IAMO currently provides most elements of basic service, except equal access, and that IAMO intends to provide equal access no later than December 31, 1996. The Commission also finds that the provision for IAMO to continue to provide the minimum necessary elements for basic service is beneficial for purposes of protecting the public interest in the future. Furthermore, the fact that IAMO will be providing basic service as required by 4 CSR 240-32.100 within three years of the filing date specified by the modernization rule is good cause for IAMO to be granted a waiver from the requirement to file three, five, and seven-year modernization plans. Thus, the Commission finds that the Stipulation is just and reasonable.

The Commission may approve a stipulation of the issues in a case if it finds that the stipulation is just and reasonable. The Commission has so found and thus determines that the Stipulation in this case should be approved.

**IT IS THEREFORE ORDERED:**

1. That the Stipulation and Agreement filed in this case (Attachment A) is hereby approved and adopted.
2. That IAMO Telephone Company is hereby granted a waiver of the requirement to file three, five, and seven-year modernization plans pursuant to 4 CSR 240-32.100.
3. That IAMO Telephone Company shall submit a copy of the letter to interexchange carriers required by the Stipulation and Agreement approved in Ordered Paragraph 1 to the Telecommunications Department of the Commission.

4. That IAMO Telephone Company shall submit written notification to the Telecommunications Department of the Commission upon full implementation of equal access.

5. That this Order shall become effective on February 7, 1995.

BY THE COMMISSION

A handwritten signature in cursive script that reads "David L. Rauch".

David L. Rauch  
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Perkins,  
Kincheloe and Crumpton, CC., Concur.

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

In the matter of local network )  
telecommunications companies' modernization ) Case No. TO-93-309  
plans pursuant to 4 CSR 240-32.100. )

In the matter of IAMO Telephone Company )  
modernization plans pursuant to 4 CSR 240-32.100 ) Case No. TO-95-190  
to 4 CSR 240-32.100 )

FILED

JAN 13 1995

MISSOURI  
PUBLIC SERVICE COMMISSION

**STIPULATION AND AGREEMENT**

Based on documentation submitted by Iamo Telephone Company ("the Company"), the signatories--the Office of the Public Counsel ("OPC"), the Staff of the Missouri Public Service Commission ("the Staff") and the Company--agree and stipulate as follows:

1. The Company will provide the minimum necessary elements for basic local and interexchange telecommunications service ("Basic Service") as prescribed by 4 CSR 240-32.100 ("the Modernization Rule"), except for interLATA equal access, by January 31, 1995. The Company agrees to continue to provide at least this level of service.

2. The Company agrees to send a letter to interexchange carriers no later than six months prior to the date the Company intends to provide customers with equal access, indicating such plans. The Company shall provide equal access to its individual line customers by December 31, 1996, or earlier if practicable considering the business conditions in the Company's service area and the Company's capital constraints. In implementing interLATA equal access, the Company shall comply with the requirements of the Federal

Communications Commission Report and Order released March 19, 1985, in CC Docket No. 78-72, Phase III.

3. OPC and the Staff agree that if the Company fulfills the terms of paragraphs 1 and 2, then the Company will provide Basic Service by December 31, 1996.

4. The Staff and the OPC agree that it is not essential for the Company to file three-, five- and seven-year modernization plans as provided by the Modernization Rule.

5. If the Missouri Public Service Commission ("the Commission") accepts the specific terms of this Stipulation and Agreement, the signatories waive their respective rights--

- a. to call, examine or cross-examine witnesses, pursuant to § 536.070(2) RSMo 1986;
- b. to present oral argument and written briefs, pursuant to § 536.080.1 RSMo 1986;
- c. to have the Commission read any transcript resulting from this proceeding, pursuant to § 536.080.2 RSMo 1986; and
- d. to judicial review, pursuant to § 386.510 RSMo 1986.

7. Nothing in this stipulation shall constitute an agreement by the parties as to the reasonableness of the amount or value for ratemaking purposes of any specific planned or completed expenditure made by the Company in providing Basic Service. The Commission may consider, where appropriate, the ratemaking consequences of any such expenditure made or incurred by the Company in providing Basic Service in a subsequent ratemaking proceeding involving the Company.

8. The provisions of this Stipulation and Agreement have resulted from negotiations among the signatories and are interdependent. If the Commission does not

approve this Stipulation and Agreement in total, it shall be void and no party shall be bound, prejudiced or in any way affected by any of the agreements or provisions hereof.

9. This Stipulation and Agreement represents a negotiated settlement. Except as specified herein, no party shall be bound, prejudiced or in any way affected by any of the agreements or provisions hereof in any future proceeding, in any proceeding currently pending under a separate docket.

10. At the Commission's request, the Staff may give the Commission a written explanation of its rationale for entering into this Stipulation and Agreement, if the Staff also gives a copy of its explanation to each signatory to this Stipulation and Agreement. In that event, each signatory may give the Commission a responsive written explanation within five (5) business days of receipt of the Staff's explanation, if the responding signatory contemporaneously gives a copy of such responsive written explanation to all other signatories. Each signatory agrees to keep the Staff's and other signatory's explanations confidential, and to treat them as privileged to the same extent as settlement negotiations under the Commission's rules. No signatory acquiesces in or adopts the explanations of another signatory. Such explanations shall not become a part of this proceedings' record, nor bind or prejudice any signatory in any proceeding.

11. The Staff may provide whatever oral explanation the Commission requests at any agenda meeting, if the Commission has given notice that it may consider this Stipulation and Agreement at the meeting. The Staff shall inform the other signatories as soon as practicable when the Staff learns that the Commission will request such explanation. The

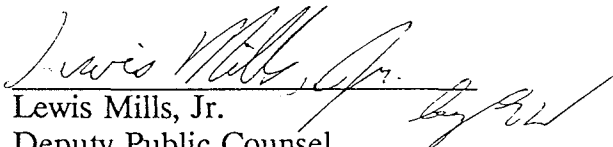
Staff's explanation in agenda shall be subject to public disclosure, except to the extent it pertains to matters protected from disclosure.

WHEREFORE, the signatories respectfully request that the Commission issue an order that--

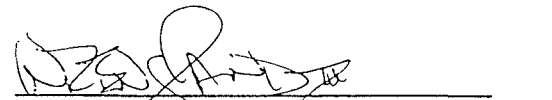
1. approves this Stipulation and Agreement, and
2. waives the requirement that the Company shall file three-, five- and seven-year modernization plans.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

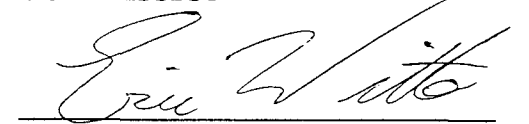
  
Lewis Mills, Jr.  
Deputy Public Counsel  
Office of the Public Counsel  
P. O. Box 7800  
Jefferson City, Missouri 65102  
314-751-1304

IAMO TELEPHONE COMPANY

  
W. R. England, III #23975  
Brydon, Swearngen & England, P. C.  
P. O. Box 456  
Jefferson City, Missouri 65102  
314-635-7166

Attorney for Iamo Telephone Company

THE STAFF OF THE  
MISSOURI PUBLIC SERVICE  
COMMISSION

  
Eric B. Witte  
Assistant General Counsel  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, Missouri 65102  
314-751-4140