

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

Tari Christ d/b/a ANJ Communications, et al.,

Complainants,

v.

Southwestern Bell Telephone Company, L.P.  
d/b/a Southwestern Bell Telephone Company,

Respondent.

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**Case No. TC-2005-0067**

**ORDER DENYING REQUEST TO FURTHER SUSPEND PROCEEDINGS  
AND DIRECTING AT&T MISSOURI TO FILE ITS ANSWER**

Issue Date: February 26, 2013

Effective Date: February 26, 2013

On August 27, 2004, Tari Christ d/b/a ANJ Communications, and 27 other Missouri private payphone service providers, filed a complaint against Southwestern Bell Telephone Company, L.P. d/b/a Southwestern Bell Telephone Company (n/k/a AT&T Missouri). Before AT&T Missouri filed its answer, the parties agreed to mediate their dispute. For that reason, on November 10, 2004, the Commission stayed this complaint. The complaint remained stayed for continued mediation until July 2011, even though no mediation session was ever scheduled.

In 2011, the Commission ended the mediation suspension and ordered AT&T Missouri to file its answer. However, the Commission subsequently granted the Complainants' request for reconsideration. On reconsideration, the Commission again suspended any action on the complaint to allow more time for the Federal Communications Commission to issue a ruling that the Complainants contend will control the Commission's decision on the complaint. The Commission has continued to suspend the complaint since 2011 and the FCC has still not issued a decision.

On February 11, 2013, the Complainants filed a request asking the Commission to suspend the complaint for another six months in the hope that the FCC will soon issue a decision. AT&T Missouri and the Commission's Staff filed responses to that request for further suspension on February 25, 2013. Both AT&T Missouri and Staff oppose further suspension, contending that nothing will be gained by further delaying consideration of this complaint.

This complaint has been sitting on the Commission's docket for nearly nine years with no discernable progress toward resolution. The Commission is mindful that the FCC may eventually issue a decision that will affect this complaint, but any such decision can be taken into account later in the process. The next procedural step is for AT&T Missouri to file its answer or notice that the complaint has been satisfied. The Commission will direct AT&T Missouri to do so. After that answer is filed, the Commission will further consider how to move this complaint to resolution.

**THE COMMISSION ORDERS THAT:**

1. Southwestern Bell Telephone Company d/b/a AT&T Missouri shall file its answer or notice that the complaint has been satisfied no later than April 1, 2013.
2. This order shall become effective upon issuance.

**BY THE COMMISSION**



Shelley Brueggemann  
Acting Secretary

( S E A L )

Morris L. Woodruff, Chief Regulatory Law  
Judge, by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 26<sup>th</sup> day of February, 2013.