

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 14th day
of June, 2005.

In the Matter of the Second Investigation into the State)
of Competition in the Exchanges of Southwestern Bell) **Case No. TO-2005-0035**
Telephone, L.P., d/b/a SBC Missouri.)

ORDER OF ABEYANCE

Issue Date: June 14, 2005

Effective Date: June 24, 2005

On July 30, 2004, Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, filed a motion asking the Commission to open a case to investigate the state of competition in the company's exchanges pursuant to Section 392.245.5, RSMo 2000. SBC Missouri also requested that the Commission classify as competitive SBC Missouri's access line and related services and operator/directory services that have not already received a competitive classification. The Commission conducted a hearing in this matter from January 31, 2005, through February 7, 2005.

Since the hearing, the Commission has discussed the case during several of its Agenda sessions, with the most recent discussion occurring during the June 2nd Agenda. At that time, the Commission discussed the effect of Senate Bill 237¹ on this case. Senate Bill 237, passed by the Missouri legislature during the 2005 legislative session, significantly modifies the standards by which telecommunications services are considered competitive.

¹ CCS/HCS/SS/SCS/SB 237, 93rd General Assembly, First Regular Session (Mo. 2005).

These statutory changes are expected to become effective on August 28, 2005. The Commission therefore finds that it is in the public interest to postpone making a decision in this matter until after August 28. The Commission hereby notifies the parties that this case shall be in abeyance until otherwise ordered.

IT IS THEREFORE ORDERED:

1. That this case shall be in abeyance until otherwise ordered.
2. That this order shall become effective on June 24, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Clayton, and Appling,
CC., concur.
Gaw, C., concurs, with separate
concurring opinion to follow.
Murray, C., dissents.

Ruth, Senior Regulatory Law Judge