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2 STATE OF MISSOURI  
3 PUBLIC SERVICE COMMISSION  
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8 IN THE MATTER OF A REQUEST FOR EXPANSION OF THE  
9 ST. LOUIS METROPOLITAN CALLING AREA PLAN TO INCLUDE THE  
10 EXCHANGES OF WASHINGTON, UNION, WRIGHT CITY, ST. CLAIR,  
11 MARTHASVILLE, BEAUFORT, FOLEY AND WARRENTON

12 Case No. TO-2005-0141  
13  
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15 TRANSCRIPT OF PROCEEDINGS  
16

17 STATUS CONFERENCE  
18

19 VOLUME 4  
20

21 FEBRUARY 2, 2006  
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STATE OF MISSOURI

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PUBLIC SERVICE COMMISSION

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TRANSCRIPT OF PROCEEDINGS

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Status Conference

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February 2, 2006

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Jefferson City, Missouri

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Volume 4

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In the Matter of a Request for )  
Expansion of the St. Louis )  
Metropolitan Calling Area Plan ) Case No. TO-2005-0141  
to Include the Exchanges of )  
Washington, Union, Wright City, )  
St. Clair, Marthasville, )  
Beaufort, Foley and Warrenton )

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NANCY DIPPELL, Presiding,  
DEPUTY CHIEF REGULATORY LAW JUDGE

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18 REPORTED BY:

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1 P R O C E E D I N G S

2 RLJ DIPPELL: This is Case No. TO-2005-0141  
3 in the matter of the request for expansion of the  
4 St. Louis Metropolitan Calling Area Plan to include the  
5 exchanges of Washington, Union, Write City, St. Clair,  
6 Marthasville, Beaufort, Foley and Warrenton.

7 We've come here today for a status  
8 conference to see where this case stands and where we're  
9 going to go from here.

10 And I have Ms. McDonald for AT&T Missouri on  
11 the phone. And I'm going to allow the attorneys to make  
12 entries of appearance at this time.

13 Let's start with Staff.

14 MR. POSTON: I'm Marc Poston for the Staff  
15 of the Missouri Public Service Commission.

16 MR. DANDINO: Michael Dandino, Office of the  
17 Public Counsel, Post Office Box 2230, Jefferson City,  
18 Missouri 65102, representing the Office of Public Counsel  
19 and the public.

20 MR. JOHNSON: Craig Johnson, 1648-A East  
21 Elm, Jefferson City, Missouri 65101 for the Missouri  
22 Independent Telephone Group and specifically Moka and  
23 Choctaw.

24 MR. DORITY: Larry DORITY with Fischer &  
25 DORITY, P.C., appearing on behalf of CenturyTel of

1 Missouri LLC and Spectra Communications Group LLC, doing  
2 business as CenturyTel. My address is 101 Madison,  
3 Suite 400, Jefferson City, Missouri 65101.

4 RLJ DIPPELL: And Ms. McDonald.

5 MS. MCDONALD: Mimi McDonald for  
6 Southwestern Bell Telephone LP, doing business as AT&T  
7 Missouri. Our address is 1 SBC Center, Room 3510,  
8 St. Louis, Missouri 63101.

9 MR. MCCARTNEY: Brian T. McCartney of the  
10 law firm Brydon, Swaengen and England PC. My address  
11 is 312 East Capitol Avenue, Jefferson City, Missouri  
12 65102, appearing today on behalf of Fidelity Telephone  
13 Company and Orchard Farm Telephone Company.

14 RLJ DIPPELL: I apologize, Mr. McCartney. I  
15 looked right at you and then I just skipped you.

16 I'm operating on a little bit less sleep  
17 than I should have. I apologize. A sick child at home.

18 Anyway, the reason I wanted to call the  
19 status conference is because right now we have an  
20 agreement with AT&T Missouri, Staff and Office of Public  
21 Counsel pending, and then CenturyTel had sort of promised  
22 us an agreement but that didn't materialize.

23 Mr. Dority, what's the status of that?

24 MR. DORITY: Well, thank you, Judge, for  
25 setting the status conference. I think this will be

1 helpful.

2 To give you an update, we are still  
3 discussing with Mr. Dandino and the Staff a resolution  
4 for the exchanges that involve CenturyTel of  
5 Missouri LLC.

6 As you'll recall at the public hearing in  
7 Innsbrook, we discussed an optional calling plan that we  
8 have available on a promotional basis, and we are now  
9 rolling that out and actively marketing that plan to the  
10 customers in that particular area. And I have every  
11 reason to believe that it is being met with a positive  
12 response.

13 I think the testimony that was elicited at  
14 the public hearing indicated that the customers would be  
15 very interested in that sort of approach as opposed to  
16 the MCA plan.

17 If you'll recall, I believe we only had a  
18 total of four residential customers that actually  
19 testified at Innsbrook.

20 And my quick review of the transcript that  
21 was just made available, it confirmed my remembrance that  
22 the customers were more concerned with an outbound  
23 calling plan. They were not interested in changing their  
24 phone numbers.

25 And I have every reason to believe that the

1 optional calling plan that we're now marketing will be  
2 very well received and I think will address the concerns  
3 that were indicated.

4 I don't want to speak for Mr. Dandino, but,  
5 you know, we're thinking that particularly for the  
6 residential customer class, that this may indeed address  
7 the issues.

8 As far as the business class of customers,  
9 you know, I guess I would remind the judge that there was  
10 really only one business customer that testified at the  
11 hearing in Innsbrook and that only involved one of the  
12 exchanges and that was Warrenton, Missouri.

13 We are still looking at what options might  
14 be available to address the business community needs to  
15 the extent that there are any that are not being met  
16 today.

17 We're hopeful that within a very short  
18 amount of time that we can perhaps come to a proposed  
19 resolution for the business customer class.

20 Simply put, we're still trying to come up  
21 with a final proposal that we can present to the  
22 Commission. We would hope to be able to reach a  
23 resolution with both the Office of Public Counsel and  
24 Staff regarding that.

25 From a timeline standpoint, I don't know,

1 maybe ten days to two weeks. I know that this has gone  
2 on much longer than the Commission would probably wish  
3 for it to at this point.

4 All I can say is we have been diligent, and  
5 we're trying to make sure that we come up with a solution  
6 that will truly serve the needs of our customer base.

7 And so I guess at this point, you know, I  
8 think we're very close in terms of the residential class.  
9 And in terms of the business, we hope to have something  
10 that we can present to the Commission within a week or  
11 two.

12 RLJ DIPPELL: Mr. Dandino, is the Office of  
13 Public Counsel wanting to move forward with, say, a  
14 stipulation hearing, if the Commissioners wish, on the  
15 SBC --

16 MR. DANDINO: Oh, certainly.

17 RLJ DIPPELL: -- agreement?

18 MR. DANDINO: In fact, we were going to  
19 request -- and I talked with Ms. McDonald for AT&T. And  
20 we both see that -- you know, we kind of see these as  
21 separate, at least for resolution of it.

22 And we think there is no problem about  
23 proceeding on with the stipulation and agreement. And I  
24 know AT&T says they're willing to stand by that and so  
25 are we. Because I think it addresses probably a



1 different -- maybe the same problem but in a different  
2 way. Each company has their own costs and everything  
3 else. So I think that can go separately.

4 As far as what Mr. Dority has said, I agree  
5 that the Office of Public Counsel, we reviewed the  
6 offering that they're making for the customers there and  
7 it's in kind of a trial mode right now.

8 But, you know, based on the testimony of the  
9 people there, what they wanted, plus the price and the  
10 value received, and -- by the customers, it looks like  
11 that will address, you know, the calling needs in that  
12 community, at least in the Innsbrook, Wright City and  
13 Warrenton, that area, those exchanges.

14 The biggest problem, and the one that has to  
15 be dealt with is, of course, the business side. Because  
16 we kind of looked at the testimony in -- at the  
17 Washington hearing kind of as related to it, and the fact  
18 that they need more two-way calling and the economies  
19 need two-way calling for businesses with the metropolitan  
20 area more than just the outbound that the residential  
21 people prefer.

22 So that is kind of where we are. And  
23 CenturyTel has been very cooperative. And in discussing  
24 with us -- we've met them a number of times. I feel like  
25 I'm -- Larry Dority and I are getting to know each other

1     very well.

2                     And AT&T, Ms. McDonald, they were very  
3     cooperative and are working with us to enter into the  
4     stipulation and agreement, as well as Staff.

5                     RLJ DIPPELL:   Okay.   The reason, I guess, I  
6     was concerned about moving forward with the SBC or the  
7     AT&T agreement just was because there was some testimony  
8     at the local public hearings about -- at least the people  
9     in the Marthasville exchange concerned about one going  
10    forward without the other, and I didn't know if that had  
11    changed your opinion about that, Mr. Dandino.

12                    MR. DANDINO:   Mr. Kramme from the  
13    Marthasville also attended both hearings.

14                    And I think -- I think it is -- it is -- at  
15    least if the people in Washington or in the SBC or AT&T  
16    exchanges have the MCA, they'll at least be able to call  
17    into the Marthasville and then Marthasville will be able  
18    to call them, I guess.   Well, maybe not.

19                    I think -- I don't think we ought to hold up  
20    the other ones, because, I think it's especially  
21    significant for the business side, as the testimony was  
22    at the hearing, for, you know, especially the St. Clair  
23    area with their industrial park and Washington and Union  
24    area.

25                    MR. DORITY:   And, Judge, just to be clear, I

1 apologize. I did not address that aspect of it.

2 But certainly CenturyTel would have no  
3 objection to the Commission moving forward and addressing  
4 the stipulation and agreement and would support that.

5 RLJ DIPPELL: Okay. Then I guess what I'd  
6 like to find out from the attorneys is maybe a date that  
7 we could look at having a stip hearing, if that's what  
8 the Commissioners want to do, where they could ask  
9 questions, and I'd like to set that as soon as I could.

10 Looking at the Commission's calendar, it  
11 looks like February 21st, 22nd, 27th or 28th would all be  
12 available.

13 Would any of those dates be available with  
14 you, Ms. McDonald?

15 Are you there and just looking?

16 MR. DORITY: Hello, Mimi.

17 RLJ DIPPELL: Okay. Ms. McDonald, are you  
18 there?

19 MS. MCDONALD: I'm here.

20 RLJ DIPPELL: Did you hear the conversation?

21 MS. MCDONALD: I could hear that you were  
22 saying -- I understood that you were saying dates, the  
23 21st, the 27th, the 28th. Is that a date to present the  
24 stipulation and agreement to the Commission?

25 RLJ DIPPELL: Yes.

1 MS. MCDONALD: To my knowledge, I think all  
2 of those dates would be good.

3 RLJ DIPPELL: Would they be available with  
4 the other parties?

5 MR. POSTON: That's fine with us.

6 MR. DANDINO: I believe so.

7 MR. DORITY: I believe so.

8 RLJ DIPPELL: Then I will pick one of those  
9 dates and set probably a stipulation hearing and you  
10 should see an order coming out on that today or tomorrow.

11 All right. Would there be anything else  
12 that anyone would like to discuss on the record?

13 MR. DORITY: Just, Judge, thanks for setting  
14 this conference, and to the extent that we're able to  
15 reach a resolution prior to the date, then -- I'm  
16 anticipating that the Commissioners are going to be  
17 asking me what the status is regarding the CenturyTel  
18 exchanges at the stipulation presentation, and we'll be  
19 prepared to address that.

20 RLJ DIPPELL: All right.

21 And then I'll probably also set a time for a  
22 formal status report on that side also.

23 Is there anything else?

24 All right. Then seeing nothing further, we  
25 can go off the record.

1 Thank you.

2 WHEREUPON, the on-the-record portion of the  
3 Status Conference was adjourned.

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