

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of a Recommendation Concerning the)
Surcharge for Deaf Relay Service and Equipment) **Case No. TO-2005-0308**
Distribution Program Fund.)

ORDER SCHEDULING ON-THE-RECORD PRESENTATION

On March 16, 2005, the Staff of the Missouri Public Service Commission filed a Motion to Open Case and Staff Recommendation regarding the surcharge amount for the Deaf Relay Service and Equipment Distribution Program Fund. In its memorandum, Staff recommended that the surcharge be increased from \$0.10 per month per access line to \$0.15 per month per access line. Staff later filed a correction to its Staff Recommendation.

On March 29, 2005, the Commission issued an order establishing this case, directing notice, and setting an intervention deadline. The Commission issued an order providing additional notice on April 5, 2005. Timely requests for intervention were filed on April 12, 2005, by Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, and Big River Telephone Company, L.L.C. The Commission granted the requests for intervention by order issued April 18, 2005.

The Commission has reviewed the pleadings filed by Staff, along with the filings of the other parties, but finds that it still has unanswered questions. Therefore, the Commission will schedule an on-the-record presentation to provide the Commission with an opportunity to ask questions regarding Staff's recommendation. Although the Commission anticipates conducting the hearing in a question and answer format, the Commission

expects that the answers to some of its questions will be evidentiary in nature. Therefore, the parties should have witnesses available to testify. The Commission's Staff should also be prepared to discuss whether the Commission has the authority to place limits on the amount of minutes that may be used by a participant of the Relay Missouri program. In addition, Staff should address whether the Commission could order that the amount of the Relay Missouri surcharge be changed effective August 1, 2005, rather than July 1, 2005.

The Commission further notes that Staff suggests that the Commission make its determination by May 1, 2005, in order to provide the local telephone companies with sufficient time to adjust billing systems prior to a July 1, 2005 implementation date. SBC Missouri contends that the Commission should make its determination no later than April 29, 2005, for a July 1 implementation date. Although the Commission is not convinced that such time frames are reasonable, the Commission will nonetheless schedule the on-the-record presentation as soon as possible.

The Commission's general policy provides for the filing of the transcript within two weeks after a hearing. Due to the expedited nature of this case, the Judge will direct that the transcript be submitted on the next business day. Furthermore, the Commission will hear closing statements in lieu of briefs. In addition, all parties are required to bring an adequate number of copies of any exhibits that they intend to offer into evidence at the hearing. If an exhibit has been previously filed, and served on the other parties, only a copy of the exhibit for the court reporter is necessary. If an exhibit has not been previously been filed, the party offering it should bring one copy for the court reporter, copies for the

five Commissioners, the Judge, and all counsel.

IT IS THEREFORE ORDERED:

1. That an on-the-record presentation in this matter shall be held on April 25, 2005, beginning at 10:30 a.m.
2. That the on-the-record presentation will be held at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, Room 310. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Anyone needing additional accommodations to participate in the presentation should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 as soon as possible.
3. That the transcript for this hearing shall be expedited and submitted one business day following the hearing.
4. That this order shall become effective on April 19, 2005.

BY THE COMMISSION

(S E A L)

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Vicky Ruth, Senior Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 19th day of April, 2005.