

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Request of Southwestern Bell)
Telephone, L.P., d/b/a SBC Missouri, for Competitive) **Case No. TO-2006-0102**
Classification Pursuant to Section 392.245.6,) Tariff File No. YI-2006-0145
RSMo (2005) – 60-day Petition.)

ORDER SHORTENING TIME FOR FILING OF RESPONSES **AND DIRECTING FILING**

Issue Date: September 8, 2005

Effective Date: September 8, 2005

Background

On August 30, 2005, Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, filed its Petition for Competitive Classification pursuant to Section 392.245.5, RSMo; that petition was assigned Case No. TO-2006-0093. Section 392.245.5, RSMo, provides for an expedited, two-track procedure when a price cap regulated incumbent local exchange company seeks competitive classification for its services within one or more exchanges. The two procedures are designed as a 30-day track and a 60-day track. On September 2, the Commission issued a notice separating the company's request into two cases – Case Nos. TO-2006-0093 for the 30-day track and this case, TO-2006-0102, for the 60-day track.

Request for Local Public Hearing

On September 6, the Office of the Public Counsel filed a Request for Public Hearing and Request for Expedited Treatment. Public Counsel asks the Commission to schedule one or more public hearings "at locations within the SBC service area reasonably convenient for the public to attend" The Commission will direct Public Counsel to expeditiously file a supplemental pleading clarifying (1) how many local public hearings

Public Counsel recommends that the Commission hold for this case, and (2) exactly where those local public hearings should be held. Public Counsel should include the names and addresses for potential local public hearing sites, along with telephone numbers and contact information for those locations. Moreover, the suggested locations shall be capable of providing teleconferencing. The Commission notes that any local public hearings in this case will likely need to be held on September 27, September 29, or October 3-7.

The Commission will also direct SBC Missouri to work with Public Counsel and the Commission's Information Technologies Staff in finding suitable locations to conduct a local public hearing or hearings by means of videoconferencing. If SBC Missouri has facilities that would be suitable for the local public hearings, the company shall expeditiously file a list of those facilities. If SBC Missouri does not have any facilities suitable for this purpose, the company must file a notice to that effect.

Request to Declassify Certain Exhibits

Also on September 6, Public Counsel filed its Motion to Declassify Certain Exhibits Designated as "Highly Confidential" and Request for Expedited Treatment. Due to the expedited nature of this proceeding, the Commission will shorten the time for the filing of responses to the motion.¹

IT IS THEREFORE ORDERED:

1. That no later than 12:00 p.m. on September 12, 2005, the Office of the Public Counsel shall file a supplemental pleading regarding local public hearings as directed above.

¹ 4 CSR 240-2.080(15).

2. That no later than 3:00 p.m. on September 9, 2005, Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, shall submit a response regarding local public hearings as directed above.

3. That responses to the Motion to Declassify Certain Exhibits Designated as "Highly Confidential" and Request for Expedited Treatment shall be filed no later than 12:00 p.m. on September 12, 2005.

4. That this order shall become effective on September 8, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 8th day of September, 2005.