

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 8th day of December, 2005.

In the Matter of a Request for Expansion of the)
St. Louis Metropolitan Calling Area Plan to Include the) **Case No. TO-2005-0141**
Exchanges of Washington, Union, Wright City, St. Clair,) (consolidated with TO-2003-0298)
Marthasville, Beaufort, Foley, and Warrenton.)

ORDER SETTING LOCAL PUBLIC HEARING

Issue Date: December 8, 2005

Effective Date: December 8, 2005

On November 9, 2005, the Office of the Public Counsel filed a motion for local public hearings on the request to expand the St. Louis Metropolitan Calling Area (MCA) Plan to include the exchanges of Washington, Union, Wright City, St. Clair, Marthasville, Beaufort, Foley, and Warrenton as an optional Tier 6 to the MCA Plan. Public Counsel suggests that the Commission hold a local public hearing in Washington and one in Innsbrook (Wright City). Public Counsel suggests that these two locations will be convenient to customers and will ensure that there is a hearing in each area served by Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, and CenturyTel of Missouri, LLC, the incumbent local exchange companies.

Public Counsel further states that it has not performed any study or taken any final position regarding a proposed price, but for the purposes of discussion, Public Counsel suggests that a new Tier 6 be priced the same as Tier 5 – that is, \$32.50 for residential (local not included) and \$70.70 for business (local not included). Public Counsel

proposes that subscription to the Tier 6 MCA would be optional and would be an additional charge above the charge for local service and for any other existing EAS charges.

SBC Missouri Exchanges:

On November 22, 2005, Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, filed a pleading indicating that it is actively participating in extensive settlement negotiations with the hope of resolving all issues in the case related to the SBC Missouri exchanges of Beaufort, St. Clair, Union, and Washington. Accordingly SBC Missouri requested that the Commission not yet schedule local public hearings for its exchanges. SBC Missouri further indicated that it would advise the Commission of the status of the negotiations no later than December 5, 2005.

On December 2, 2005, the Office of the Public Counsel, SBC Missouri, and Staff filed a Stipulation and Agreement (the Agreement) with respect to the SBC Missouri exchanges (Beaufort, St. Clair, Union, and Washington). The Agreement provides that these SBC Missouri exchanges would be added to Tier 5 of the current MCA Plan.¹ The Agreement indicates that subscription to the MCA service would be optional and in addition to charges for local service and any other existing EAS charges not encompassed by the calling scope for MCA service. In addition, the Agreement provides that SBC Missouri will initially offer MCA service to its customers in the Beaufort, St. Clair, Union, and Washington exchanges for \$32.50/month for residential customers and \$70.70/month for business customers. The Agreement also states that SBC Missouri may change such rates by filing

¹ Specifically, the parties state that these SBC exchanges would be added to Tier 5 of the MCA Plan as established by the Commission in its Report and Order in Case No. TO-92-306, *In the Matter of the Establishment of a Plan for Expanded Calling Scopes in Metropolitan and Outstate Exchanges*, and as clarified by the Commission in its Report and Order in Case No. TO-99-483, *In the Matter of an Investigation for the Purpose of Clarifying and Determining Certain Aspects Surrounding the Provisioning of Metropolitan Calling Area Service After the Passage and Implementation of the Telecommunications Act of 1996*.

revised tariffs for review and approval under the statutes applicable to SBC Missouri at the time of any proposed tariff revision. The Agreement provides that customers in these SBC Missouri exchanges that choose to subscribe to MCA service will need to have their telephone numbers changed to reflect MCA telephone numbers.

The Commission finds that it is appropriate to schedule a local public hearing in Washington, Missouri, regarding the proposed Stipulation and Agreement.

CenturyTel Exchanges:

On November 22, 2005, CenturyTel of Missouri, LLC, filed a pleading requesting that the Commission refrain from setting local public hearings at this time in the CenturyTel exchanges of Foley, Marthasville, Warrenton, and Wright City, in order to allow the parties sufficient time to possibly negotiate a settlement regarding those exchanges. CenturyTel stated that it would advise the Commission of the status of the case no later than December 5, 2005.

On December 5, 2005, CenturyTel filed its Status Report, indicating that it is diligently pursuing settlement discussions and negotiations with regard to the CenturyTel exchanges of Foley, Marthasville, Warrenton, and Wright City. CenturyTel requests that the Commission not schedule local public hearings for its exchanges at this time, and indicates that it will file another status report no later than January 5, 2006.

The Commission finds that it is appropriate to schedule a local public hearing in either Innsbrook or Wright City, Missouri, rather than delay such scheduling until after a status report is filed in January 2006. During the December 8, 2005 Agenda session, however, the presiding officer reported that she has not yet been able to secure an appropriate facility in which to have a local public hearing in Innsbrook. The Commission

will therefore direct the presiding officer to expeditiously schedule, by means of a separate order, a hearing in Innsbrook or Wright City, Missouri. The Commission also encourages the parties to continue their settlement negotiations and to file a status report or stipulation and agreement as soon as possible.

IT IS THEREFORE ORDERED:

1. That a local public hearing shall be held on January 12, 2006, at the Washington City Hall Council Chambers, 405 Jefferson Street, Washington, Missouri.² The local public hearing shall commence 6:00 p.m. and shall continue until every member of the public in attendance has had an opportunity to testify, but in no case later than 8:00 p.m. The local public hearing shall be held in a facility that meets the accessibility requirements of the Americans with Disabilities Act. Any person who needs additional accommodation to participate in the hearing should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.
2. That a local public hearing shall also be held in either Innsbrook or Wright City, Missouri. The date and location of this local public hearing shall be set in a separate order.
3. That during the half-hour preceding each local public hearing, the Staff of the Missouri Public Service shall be available to answer questions from members of the public.
4. That the Commission's Public Information Office shall make this order or the information contained in this order available to the media and to the legislators serving the

² Persons attending the hearing should use the building's 4th Street entrance.

areas of Washington, Union, Innsbrook/Wright City, St. Clair, Marthasville, Beaufort, Foley, and Warrenton.

5. That the Commission shall make arrangements for court reporters for each local public hearing.

6. That CenturyTel of Missouri, LLC, shall file either another status report or a stipulation and agreement as soon as is feasible, but in no event later than January 5, 2006.

7. That this order shall become effective on December 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)

Davis, Chm., Gaw, Clayton,
and Appling, CC., concur.
Murray, C., dissents.

Ruth, Senior Regulatory Law Judge