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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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| In the matter of Southwestern Bell |) | |
| Telephone Company's tariff designed |) | |
| to introduce broadband educational |) | <u>Case No. TT-95-275</u> |
| videoconferencing service. |) | |

ORDER REVISING PROCEDURAL SCHEDULE, SUSPENDING TARIFF
AND GRANTING INTERVENTION

On April 3, 1995, Southwestern Bell Telephone Company (SWBT) filed its Motion for Continuance in this case. SWBT has stated that due to changing circumstances it no longer requires the sixty (60) day effective date which was originally requested. The motion further stated that "SWBT is willing to waive its request for a new service designation and the existing (tentative) operation of law date so that sufficient time can be taken to fully present the issues to the Commission." SWBT's motion went on to set out a requested procedural schedule which would include a provision for surrebuttal testimony.

On April 4, 1995, the Office of Public Counsel (OPC) filed its motion stating that it does not object to revising the procedural schedule. The motion filed by OPC went on to identify several issues which OPC feels must be addressed within this docket. Among the issues raised by OPC was its concern that the Commission on Informational Technology (C.I.T.) Report identifies interconnectivity as a problem with the ATM technology and its ability to interconnect with other video technology. (C.I.T. Report, Page 76). Public Counsel has expressed its support of a modification of this docket which would provide for further investigation and evaluation of the SWBT proposal.

On April 5, 1995, the Telecommunications Staff of the Public

General (A.G.). In the Order Suspending Tariff issued in this docket on March 22, 1995, the Commission established an intervention deadline of March 29, 1995. The intervention timeframe was reduced to seven (7) days along with the acceleration of other timeframes in order to accommodate the potential of a sixty (60) day effective date for the tariff sheet(s) submitted by SWBT. Inasmuch as SWBT has now waived its new service designation and the existing sixty (60) day effective date, the necessity of these shortened timeframes has been alleviated. In addition, the Commission has received no suggestion in opposition to the request to intervene out of time. The A.G. has stated that its interest in this matter is to represent DESE as a department within the state government which is responsible for providing funds to public elementary and secondary education institutions within the state of Missouri. The A.G.'s motion further stated that among the public schools funded by DESE are those members of the five (5) school districts which make up NEMO Net. DESE provides funds for telecommunications programs, such as the videoconferencing services that are subject to this proceeding, for all public schools in Missouri and for this reason DESE has a significant interest in this proceeding which differs from that of the general public. The Commission has reviewed the Application to Intervene Out of Time and the entirety of the file and finds that granting this application will not delay this proceeding nor unduly expand its scope. The Commission will grant the application.

IT IS THEREFORE ORDERED:

1. That the entire procedural schedule as set out in the Order Suspending Tariff issued March 22, 1995, is hereby permanently suspended.

2. That the Order Regarding Discovery Procedure which was issued in this docket on March 24, 1995, is hereby permanently suspended.

3. That the Application to Intervene Out of Time as filed by the Missouri Attorney General on behalf of the Department of Elementary and Secondary Education shall, for good cause shown, be granted out of time. The Missouri Department of Elementary and Secondary Education shall be admitted as a party herein and its legal counsel shall be listed as the Office of the Attorney General for the state of Missouri.

4. That the intervention period is hereby reopened and applications to intervene in this matter shall be filed on or before May 5, 1995 and a copy sent to Southwestern Bell Telephone Company's representative, Alfred G. Richter, Jr., Vice President and General Counsel, 100 N. Tucker, St. Louis, Missouri 63101.

5. That the Information Office and the Records Department of the Commission shall issue notice as set out herein.

6. That the Commission will adopt the following procedural schedule for the remainder of this docket:

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| Direct testimony of Applicant | May 3, 1995, 3:00 p.m. |
| Rebuttal testimony from Commission Staff, OPC and Intervenors | June 7, 1995, 3:00 p.m. |
| Surrebuttal testimony filed by Southwestern Bell Telephone Company | June 14, 1995, 3:00 p.m. |
| Cross-surrebuttal testimony filed by Staff, OPC and Intervenors | June 14, 1995, 3:00 p.m. |
| Prehearing conference | June 23, 1995, 10:00 a.m. |
| Evidentiary hearing | July 20-21, 1995, 10:00 a.m. |

7. That the evidentiary hearing shall commence in the Commission hearing room, Room 520B, Harry S Truman Building at 10:00 a.m.

on July 20, 1995, and shall continue through July 21, 1995, unless sooner adjourned.

8. That any person who has special needs as addressed by the Americans With Disabilities Act, please contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services' Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

9. That the tariff sheets submitted by Southwestern Bell Telephone Company on February 8, 1995, to provide Broadband Educational Videoconferencing Service are hereby suspended for one hundred twenty days (120) days beyond the effective date of March 24, 1995 to July 22, 1995. Thereafter, in order to allow additional time for consideration of the services to be provided by these tariff sheets, the tariff shall be suspended an additional six (6) months from July 22, 1995 until January 22, 1996.

10. That this order shall become effective on the date hereof.

BY THE COMMISSION


David Rauch
Executive Secretary

(S E A L)

Dale Hardy Roberts, Deputy Chief
Hearing Examiner, by delegation of
authority under Commission Directive
of January 3, 1995, pursuant to
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 21st day of April, 1995.