

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 12th day  
of November, 2009.

In the Matter of Big River Telephone Company, LLC's	)	
Request for Expedited Approval of Its Tariff Change	)	<b><u>File No. TT-2010-0141</u></b>
Introducing Foreign Exchange Service.	)	Tariff No. YL-2010-0326

**ORDER DENYING MOTION FOR EXPEDITED TREATMENT AND SETTING  
PREHEARING CONFERENCE**

Issue Date: November 12, 2009

Effective Date: November 12, 2009

On November 3, 2009, Big River Telephone Company, LLC, filed tariff sheets designed to introduce foreign exchange service as a new service offering. Big River also filed a Motion for Expedited Treatment in which it requests that the Commission approve the tariff sheets to become effective in ten days.

Big River explains that the reason for the tariff filing and for the request for expedited treatment is so that customers in the Huntsville exchange, who have been assigned a Salisbury NXX code, may make and receive local calls without Chariton Valley Telephone Corporation, the incumbent local exchange company, perceiving them as virtual NXX calls. Approval of the tariffs, according to Big River, will also avoid the necessity of Big River having to request a new block of 10,000 numbers to serve only a handful of customers in the area.

On November 5, 2009, Chariton Valley Telephone Corporation filed an objection to the motion for expedited treatment. Chariton Valley claims that the statements in

Big River's "motion for expedited treatment are either false or misleading."<sup>1</sup> Chariton Valley states that it will be filing a motion to suspend and investigate the tariff and opposes expedited treatment being granted. Chariton Valley alleges that there is no reason for expedited treatment. Chariton Valley argues that Big River's assignment of a Salisbury NXX is contrary to the North American Numbering Plan (NANPA) rules and the Commission-approved interconnection agreement between the two companies. Chariton Valley further alleges that if the tariff is approved, Big River will continue to use virtual NXXs in violation of number assignment conventions, and in violation of the interconnection agreement. Chariton Valley claims that Big River need only make a proper request to the NANPA Administrator for a 1000-block of numbers for the rate center.

On November 9, 2009, the Staff of the Missouri Public Service Commission filed its opposition to the motion for expedited treatment. Staff states that because of the complex nature of the dispute as to whether this is foreign exchange or virtual NXX, more time is needed to review the matter and file a recommendation.

The Commission has reviewed the motion for expedited treatment and the other pleadings including the recommendation of Staff. The issues of whether this is a virtual NXX and if so, how that may be in violation of certain numbering conventions and possibly contrary to the Commission-approved interconnection agreement are too complex for the Commission to determine within ten days. The Commission needs additional time for consideration of these issues, and therefore, will deny the motion for expedited treatment.

Section 392.220.4 requires the Commission to act on the offering of a new service no later than 30 days after such tariff is suspended. Therefore, although the Commission is denying the motion for expedited treatment, even if the Commission

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<sup>1</sup> *Objection to Motion for Expedited Treatment, Chariton Valley Telephone Corporation*, filed November 5, 2009, p. 1.

suspends this tariff, it must nonetheless act no later than January 2, 2010. Therefore, the Commission will set this matter for a prehearing conference immediately and finds that good cause exists to set such prehearing conference on an expedited basis.

**THE COMMISSION ORDERS THAT:**

1. The Motion for Expedited Treatment filed by Big River Telephone Company, LLC, is denied.
2. A prehearing conference is set for November 18, 2009, beginning at 10:00 a.m. in the Commission's offices, Governor Office Building, 200 Madison Street, Room 305, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Anyone needing additional accommodations to participate in the prehearing conference should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the conference.
3. Any party wishing to appear at the prehearing conference by telephone shall notify the Regulatory Law Judge no later than November 17, 2009, by telephone at 573-751-4393 or e-mail at [nancy.dippell@psc.mo.gov](mailto:nancy.dippell@psc.mo.gov).
4. This order shall become effective upon issuance.

( S E A L )

**BY THE COMMISSION**



Steven C. Reed  
Secretary

Clayton, Chm., Davis, Jarrett,  
Gunn, and Kenney, CC., concur.

Dippell, Deputy Chief Regulatory Law Judge