

**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 Classification Pursuant to Section 392.245.6, RSMo (2005) – 60 day Petition. )  
Case No. TO-2006-0102  
Tariff File No. YL-2006-0145

**STAFF RECOMMENDATION AND OBJECTIONS**

**COMES NOW** the Staff of the Missouri Public Service Commission and states for its recommendation and objections:

1. This case involves the petition by Southwestern Bell Telephone, L.P., d/b/a SBC Missouri for competitive classification of its residential and/or business services in certain exchanges under the 60-day track of Section 392.245.5 RSMo, as amended by Senate Bill 237.

2. The Commission’s scheduling order directs the Staff to file a recommendation or any objections to the petition no later than September 13, 2005. The order further directs that if an objection is filed, then testimony is due from all parties on September 19, 2005.

3. SBC Missouri’s petition asks for competitive classification for 26 exchanges for residential services and 49 exchanges for business services.

4. The Staff recommends that the Commission grant competitive status to certain of these exchanges because these exchanges have a wireless competitor plus a wireline competitor providing local voice service on either a full facility or UNE-L basis. This is the standard for granting competitive classification under the 30-day track of Section 392.245.5. These exchanges are as follows:

Residential: Joplin

Business: Archie, Ash Grove, Billings, Boonville, Carthage, Cedar Hill, Farley, Mexico and Moberly.

5. The Staff recommends that the Commission deny competitive classification for the other requested exchanges. The standard for granting competitive classification under the 60-day track is that the Commission shall approve the petition unless it finds that the requested classification is contrary to the public interest. SBC Missouri's petition merely counts other unnamed communications providers in an exchange; it is silent on the issue of the public interest. It is the Staff's opinion that competitive classification of additional exchanges is contrary to the public interest.

6. The Staff is concurrently filing its testimony to explain its recommendations to the Commission to grant, in part, and to deny, in part, SBC Missouri's petition.

**WHEREFORE**, the Staff requests the Commission to grant, in part, and to deny, in part, SBC Missouri's petition.

Respectfully submitted,

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/s/ William K. Haas

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## **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 13th day of September 2005.

/s/ William K. Haas