

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of a Recommendation Concerning the     )  
Surcharge for Deaf Relay Service and Equipment     ) **Case No. TO-2005-0308**  
Distribution Program Fund.                                     )

**ORDER REGARDING EXHIBITS AND GRANTING MOTIONS TO**  
**SUPPLEMENT RECORD AND NOTICE OF AGENDA PRESENTATION**

Issue Date: June 27, 2005

Effective Date: June 27, 2005

During the On-the-Record Presentation held on April 27, 2005, the Commission directed Staff to file certain post-hearing exhibits. In compliance with the Commission's instructions, Staff filed Exhibits 3, 4, 5, and then supplemental pages to Exhibit 5. No objections were filed to these exhibits and the time for doing so has now passed. Exhibits 3, 4, and 5, as supplemented, are hereby received into the record.

In response to various Orders Directing Filing, Staff later filed Exhibits 6, 7, and 8. No party filed a response to these exhibits, and the time for doing so has now passed. Exhibits 6, 7, and 8 are received into the record.

The Commission issued an order on May 27, 2005, directing Staff to file certain additional information by June 2, 2005. The Commission indicated that any party could file a response to Staff's supplemental pleading no later than June 6, 2005. Staff filed the requested information on May 27, 2005, as Exhibits 9, 10, 11 and 12, along with a motion to supplement the record. No party filed a response to these exhibits or to the motion. The Commission will grant Staff's motion to supplement the record and will admit Exhibits 9, 10, 11, and 12 into the record.

On June 7, 2005, Staff filed its Second Motion to Supplement Record, along with Exhibit 13. No party filed a response to this exhibit or to the motion, and the time for doing so has now passed. The Commission has reviewed Staff's motion and finds that it is reasonable and should be granted. Exhibit 13 will be admitted into the record.

On June 14, 2005, the Commission issued a notice indicating that it intended to admit, as Exhibits 14 and 15, the March 17, 2005 Staff Recommendation and the April 26, 2005 Supplemental Staff Recommendation. The notice indicated that responses or objections to this action could be filed no later than June 16, 2005. No responses were filed. The Commission will hereby admit Exhibits 14 and 15 into the record.

On June 15, 2005, the Commission issued another order directing Staff to provide, no later than June 20, 2005, certain information. The Commission directed that responses could be filed within two business days of Staff's filings. On June 16, 2005, Staff filed its Staff Response to Fifth Order Directing Filing. Attached to the filing was proposed Exhibit 16. No party filed a response to Staff's motion or to Exhibit 16, and the time for doing so has now passed. The Commission will admit Exhibit 16 into the record.

On June 17, 2005, Staff filed a Motion to Supplement Staff Response to Fourth Order Directing Filing. Staff notes that in the process of converting its Exhibits 9, 10, 11, and 12 into a format for filing in the Commission's Electronic Filing and Information System (EFIS), the colors used in the charts and graphs were inadvertently lost. Therefore, Staff requests that the Commission accept its supplemental filing of color versions of Exhibits 9, 10, 11, and 12. The Commission finds the request to be reasonable and will grant it.

The Commission will address Staff's Third Motion to Supplement Record and post-hearing Exhibit 17, filed June 21, 2005, in a separate order.

The Commission notes that during its Agenda session on May 26, 2005, the Commission asked a few questions of Walt Cecil of the Commission's Staff. These questions focused on the history of the surcharge, how Staff estimates future revenues and expenses of the program fund, and the timing of payments from local telephone companies to the program fund. On June 2, 2005, Staff filed a pleading addressing some of these issues. Any party wishing to respond to that Agenda discussion may do so expeditiously.

**IT IS THEREFORE ORDERED:**

1. That Exhibits 3, 4, and 5, as supplemented, are received into the record.
2. That Exhibits 6, 7, and 8 are received into the record.
3. That Staff's motion to supplement the record, filed on May 27, 2005, is granted, and Exhibits 9, 10, 11, and 12, are received into the record.
4. That Staff's Second Motion to Supplement Record, filed on June 7, 2005, is granted, and Exhibits 13 is received into the record.
5. That Exhibits 14 and 15 are received into the record.
6. That Exhibit 16, filed on June 16, 2005, is received into the record.
7. That the color versions of Exhibits 9, 10, 11, and 12, filed on June 17, 2005, are received into the record.
8. That no later than 9:00 a.m. on June 28, 2005, any party may file a response or supplement to the Commission's May 26, 2005 Agenda discussion.

9. That this order shall become effective on June 27, 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 27th day of June, 2005.