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September 16, 1999

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

**FILED<sup>2</sup>**

SEP 16 1999

Missouri Public  
Service Commission

**RE: Case No. TO-2000-16**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case, please find the original and 14 copies of Public Counsel's **Office of the Public Counsel' Supplemental Motion to Compel Southwestern Bell Telephone Company to Answer to Data Requests**. I have also on this date mailed, faxed, and/or hand-delivered the appropriate number of copies to all counsel of record. Please "file" stamp the extra-enclosed copy and return it to this office.

Thank you for your attention to this matter.

Very truly yours,

Michael F. Dandino  
Senior Public Counsel

MFD:kh

cc: Counsel of Record

Enclosure

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

In the matter of the request of AT&T )  
Communications of the Southwest, Inc. to )  
terminate carrier of last resort obligations. )

Case No. TO-99-615 SEP 16 1999

Missouri Public  
Service Commission

In the matter of the Motion to Establish a )  
Docket Investigating the IntraLATA Toll )  
Service Provisioning Practices of Missouri )  
Interexchange Carriers, Public Utility or )  
Common Carrier Duties of Interexchange )  
Carriers, Motion to Show Cause, Request )  
for Emergency Hearing, and Alternative )  
Petition for Suspension and Modification. )

Case No. TO-2000-16

**OFFICE OF THE PUBLIC COUNSEL'S  
SUPPLEMENTAL MOTION TO COMPEL  
SOUTHWESTERN BELL TELEPHONE COMPANY  
TO ANSWER DATA REQUESTS**

COMES NOW the Office of the Public Counsel (Public Counsel) and respectfully asks the Public Service Commission to make and enter its order directing Southwestern Bell Telephone Company (SWBT) to answer Public Counsel's Data Requests 1 through 6 issued to SWBT on July 16, 1999. This motion is supplemental to Public Counsel's motion filed on September 9, 1999 to compel SWBT to answer Data Requests 7 and 8. In support of this supplemental motion, Public Counsel states as follows:

1. Public Counsel hereby incorporates its Motion to Compel SWBT to answer Data Requests 7 and 8 filed in these cases on September 9, 1999 as though fully set forth herein,
2. Counsel for SWBT indicated by letter on July 26, 1999 that SWBT intended to intervene in these cases, and would respond to Data Requests 1 through 6 when it was granted intervention. In TO-99-615, SWBT has petitioned for intervention, but no order has been issued.

3. In addition, Public Counsel states that SWBT's employee processing these data requests on or about September 9, 1999, advised Public Counsel that unless and until SWBT is granted intervention, SWBT would not answer Data Requests 1 through 6. The data requests are related to customer concerns, problems and reactions to recent events relating to intraLATA dialing parity plans and primary toll carrier plan orders issued by the Public Service Commission. SWBT is the state's largest local exchange company and a company which was a primary toll carrier in secondary carrier exchanges. It also implemented its dialing parity plan and SWBT's actions have significant effect on consumers in secondary carrier exchanges. The information requested can reasonably lead to discovery of admissible evidence in those cases. For these reasons and for the reasons set forth in the original motion to compel, Public Counsel has demonstrated good cause for the PSC to compel SWBT to answer, in full, Data Requests 1 through 6.

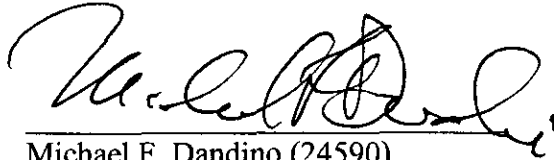
4. The Commission could order intervention, and according to SWBT's counsel, SWBT states that it intends to answer without delay. If SWBT agreed to provide the answers to Data Requests 1 through 6 within 5 days of the Commission's order granting intervention, Public Counsel will then withdraw the Supplemental Motion to Compel for Data Requests 1 through 6.

Wherefore, Public Counsel prays the PSC to issue an order directing SWBT to answer Public Counsel's data requests within 5 days of its order and for such other and further relief as the Commission deems appropriate.

Respectfully submitted,

Office of the Public Counsel

By:



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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was mailed, faxed or hand-delivered, this 16th day of September, 1999 to the following parties of record:

General Counsel  
Missouri Public Service Commission  
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