

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

RULEMAKING HEARING

JANUARY 4, 2011

Jefferson City, Missouri

Volume 1

In The Matter Of A Proposed)
Amendment To Modify Financial)
Information Reporting) File No. TX-2011-0099
Requirements)

MORRIS WOODRUFF, Presiding
CHIEF REGULATORY LAW JUDGE.

REPORTED BY:
LISA M. BANKS, CCR No. 1081
TIGER COURT REPORTING, LLC

1 JUDGE WOODRUFF: Good morning and
2 welcome everyone. We're here for a rulemaking hearing
3 on the Commission's proposal to amend Section 4 CSR
4 243.510. This is a local public hearing -- excuse
5 me -- a public hearing on the rulemaking.

6 And I'll ask first of all if there's
7 anybody here who'd like to testify or offer comments?

8 MS. DALE: I will be testifying on
9 behalf of Staff unless there's specific questions that
10 the subject matter experts need to answer.

11 JUDGE WOODRUFF: Okay. Would you
12 identify yourself?

13 MS. DALE: My name is Colleen Dale.

14 JUDGE WOODRUFF: Okay. And I'll swear
15 you in.

16 (Witness sworn.)

17 JUDGE WOODRUFF: Thank you very much.
18 And what would you like to tell the Commission?

19 COLLEEN DALE testifies as follows:

20 MS. DALE: As is contained in Staff's
21 filed comments, both the Operations Division and the --
22 both the Operations Division and the Services Division
23 support this change in the rule. We believe it will be
24 more streamlined for the companies and will be more
25 effective as an actual standard.

1 JUDGE WOODRUFF: Okay.

2 MR. DANIEL SMITH: Do you want this
3 streaming?

4 JUDGE WOODRUFF: Yes.

5 MR. DANIEL SMITH: Okay. We're up.

6 JUDGE WOODRUFF: Okay. Where is my
7 remote?

8 MR. DANIEL SMITH: That's a good
9 question. Did someone take the remote? I see it.

10 JUDGE WOODRUFF: Why don't we go off the
11 record while we get the technology going here.

12 (Off the record.)

13 JUDGE WOODRUFF: Okay. While we were
14 off the record, we were able to get the visual stream
15 going so that we are webcasting to the world, for those
16 who may be watching upstairs, or elsewhere.

17 Colleen Dale is testifying on behalf of
18 Staff.

19 And I'll allow you to continue.

20 MS. DALE: As I stated before, the Staff
21 fully supports this change. We believe that it will
22 streamline the process for regulated entities and
23 simplify the process here while taking a process that
24 has not been truly meaningful, in Staff's opinion, and
25 putting in requirements that might actually make a

1 difference.

2 JUDGE WOODRUFF: Okay. Thank you.

3 MS. DALE: If you have any questions for
4 the witness that are here, should you have specific
5 questions -- but their comments are fully stated in the
6 written submission.

7 JUDGE WOODRUFF: Okay. The only
8 questions I had with -- you can probably answer for me,
9 and that's that we have received a comment -- written
10 comments from AT&T in support of the rule and from
11 Mr. Steinmeier, as an individual, also supporting the
12 rule. Has staff spoken with the other aspects of the
13 telephone industry about this rule?

14 MS. DALE: Initially when the rule was
15 proposed, we received some comments from the MTIA, but
16 I believe that their -- I believe that they no longer
17 have the -- have the issues that they did with the
18 newest iteration of the rule. They haven't filed
19 comments at this point. And considering the fact that
20 AT&T is a MTIA member, I have to presume from that that
21 the MTIA's concerns have been addressed.

22 JUDGE WOODRUFF: Thank you. And then,
23 Mr. Steinmeier suggests also that this rule is
24 necessary to improve competitive aspects of the CLEC
25 industry?

1 MS. DALE: Yes. Mr. Steinmeier actually
2 represents a large number of applicants for CLEC
3 registration and is a very welcoming of this change.
4 The process that existed before was extremely
5 convoluted and this is much less.

6 JUDGE WOODRUFF: And does Staff believe
7 that this will increase the number of CLECs applying to
8 provide service in Missouri?

9 MS. DALE: I don't believe we believe it
10 will make any difference either way. It might make it
11 easier for the ones who want to come here to do so less
12 expensively because they will use fewer attorney hours
13 preparing their applications. But companies come here
14 for other business reasons and if they -- if we had the
15 old rule, they'd just tough it out.

16 JUDGE WOODRUFF: That's the only
17 questions I have. Anything else that Staff wanted to
18 add?

19 There's several people in the room. I
20 believe everyone here is Staff. And there is no
21 other -- no other individuals here who wish to offer
22 comments or testimony so at this point, we will
23 adjourn.

24 (The hearing was concluded.)

25

CERTIFICATE OF REPORTER

I, Lisa M. Banks, CCR within and for the State of Missouri, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Lisa M. Banks, CCR

<hr/> <p>1</p> <p>1 1:8</p> <p>1081 1:20</p> <hr/> <p>2</p> <p>2011 1:6</p> <p>243.510 2:4</p> <hr/> <p>4</p> <p>4 1:6 2:3</p> <hr/> <p>A</p> <p>ability 6:7</p> <p>able 3:14</p> <p>action 6:9,13</p> <p>actual 2:25</p> <p>actually 3:25 5:1</p> <p>add 5:18</p> <p>addressed 4:21</p> <p>adjourn 5:23</p> <p>allow 3:19</p> <p>am 6:8,10</p> <p>amend 2:3</p> <p>Amendment 1:11</p> <p>answer 2:10 4:8</p> <p>anybody 2:7</p> <p>Anything 5:17</p> <p>appears 6:5</p> <p>applicants 5:2</p> <p>applications 5:13</p> <p>applying 5:7</p> <p>aspects 4:12,24</p> <p>AT&T 4:10,20</p> <p>attorney 5:12 6:11</p> <hr/> <p>B</p> <p>Banks 1:20 6:3,16</p> <p>behalf 2:9</p>	<p>3:17</p> <p>believe 2:23 3:21 4:16 5:6,9,20</p> <p>best 6:7</p> <p>business 5:14</p> <hr/> <p>C</p> <p>CCR 1:20 6:3,16</p> <p>CERTIFICATE 6:1</p> <p>certify 6:4</p> <p>change 2:23 3:21 5:3</p> <p>CHIEF 1:14</p> <p>City 1:7</p> <p>CLEC 4:24 5:2</p> <p>CLECs 5:7</p> <p>Colleen 2:13,19 3:17</p> <p>comment 4:9</p> <p>comments 2:7,21 4:5,10,15,19 5:22</p> <p>Commission 1:1 2:18</p> <p>Commission's 2:3</p> <p>companies 2:24 5:13</p> <p>competitive 4:24</p> <p>concerns 4:21</p> <p>concluded 5:24</p> <p>considering 4:19</p> <p>contained 2:20</p> <p>continue 3:19</p> <p>convoluted 5:5</p> <p>counsel 6:8,11</p> <p>COURT 1:21</p> <p>CSR 2:3</p>	<hr/> <p>D</p> <p>Dale 2:8,13,19,20 3:17,20 4:3,14 5:1,9</p> <p>DANIEL 3:2,5,8</p> <p>deposition 6:5,10</p> <p>difference 4:1 5:10</p> <p>direction 6:8</p> <p>Division 2:21,22</p> <p>duly 6:5</p> <hr/> <p>E</p> <p>easier 5:11</p> <p>effective 2:25</p> <p>either 5:10</p> <p>else 5:17</p> <p>elsewhere 3:16</p> <p>employed 6:9,11</p> <p>employee 6:11</p> <p>entities 3:22</p> <p>everyone 2:2 5:20</p> <p>excuse 2:4</p> <p>existed 5:4</p> <p>expensively 5:12</p> <p>experts 2:10</p> <p>extremely 5:4</p> <hr/> <p>F</p> <p>fact 4:19</p> <p>fewer 5:12</p> <p>File 1:11</p> <p>filed 2:21 4:18</p> <p>Financial 1:11</p> <p>financially 6:12</p>	<p>first 2:6</p> <p>foregoing 6:5</p> <p>fully 3:21 4:5</p> <hr/> <p>H</p> <p>haven't 4:18</p> <p>hearing 1:5 2:2,4,5 5:24</p> <p>hereby 6:4</p> <p>hours 5:12</p> <hr/> <p>I</p> <p>identify 2:12</p> <p>i'll 2:6,14 3:19</p> <p>improve 4:24</p> <p>increase 5:7</p> <p>individual 4:11</p> <p>individuals 5:21</p> <p>industry 4:13,25</p> <p>Information 1:11</p> <p>Initially 4:14</p> <p>interested 6:13</p> <p>issues 4:17</p> <p>iteration 4:18</p> <hr/> <p>J</p> <p>JANUARY 1:6</p> <p>Jefferson 1:7</p> <p>JUDGE 1:14 2:1,11,14,17 3:1,4,6,10,1 3 4:2,7,22 5:6,16</p> <hr/> <p>L</p> <p>large 5:2</p> <p>LAW 1:14</p> <p>less 5:5,11</p> <p>Lisa 1:20</p>
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