

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

In the Matter of the Review of the Competitive)
Classification of the Exchanges of Southwestern)
Bell Telephone, L.P., d/b/a AT&T Missouri) Case No. TO-2007-0053

**JOINT MOTION TO ESTABLISH PROCEDURAL SCHEDULE
AND STIPULATION AS TO 30-DAY TRACK EXCHANGES**

COMES NOW the Staff of the Missouri Public Service Commission, the Office of the Public Counsel, and Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, by their respective counsel, and for their joint pleading state:

1. On August 8, 2006, the Staff of the Missouri Public Service Commission filed its Report regarding the review of the competitive classification of the exchanges of Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, pursuant to Section 392.245.5, RSMo Cum. Supp. 2005.

2. On August 18, 2006, the Office of the Public Counsel filed a request for an evidentiary hearing.

3. On September 19, 2006, the Commission granted Public Counsel's request for an evidentiary hearing and set a scheduling conference for September 28.

4. Based on discussions at the scheduling conference, the parties propose the following schedule:

Direct Testimony of Public Counsel	December 14, 2006
Rebuttal Testimony of AT&T Missouri and Staff	January 18, 2007
Surrebuttal Testimony	February 15, 2007
List of Issues and Order of Opening Statements, Witnesses and Cross-examination	February 22, 2007
Position Statements	March 1, 2007

5. In Case No. TO-2006-0093, the Commission's Corrected Report and Order granted AT&T Missouri competitive classification for business services for 45 exchanges and for residential services for 26 exchanges under the 30-day track of Section 392.245.5. In Case No. TO-2006-0102, the Commission's Report and Order granted AT&T Missouri competitive classification for business services for 30 exchanges and for residential services for 51 exchanges under the 60-day track of Section 392.245.5.

6. Section 392.245.5 directs:

The commission shall, at least every two years, or where an incumbent local exchange telecommunications company increases rates for basic local telecommunications services in an exchange classified as competitive, review those exchanges where an incumbent local exchange carrier's services have been classified as competitive, to determine if the conditions of this subsection for competitive classification continue to exist in the exchange and if the commission determines, after hearing, that such conditions no longer exist for the incumbent local exchange telecommunications company in such exchange, it shall reimpose upon the incumbent local exchange telecommunications company, in such exchange, the provisions of paragraph (c) of subdivisions (2) of subsection 4 of section 392.200 and the maximum allowable prices established by the provisions of subsections 4 and 11 of this section, and, in any such case, the maximum allowable prices established for the telecommunications services of such incumbent local exchange telecommunications company shall reflect all index adjustments which were or could have been filed from all preceding years since the company's maximum allowable prices were first adjusted pursuant to subsection 4 or 11 of this section.

7. In its Report, the Staff stated its opinion that competitive conditions continue to exist in all of AT&T Missouri's competitively-classified exchanges, i.e., both those granted competitive classification under the 30-day track and those granted competitive classification under the 60-day track.

8. The parties stipulate that for purposes of this case, the Commission may consider in its review the verified Staff Report filed in this case as evidence to determine if competitive conditions as defined and provided for in Section 392.245.5, RSMo 2000 (Supp. 2005) for a 30-day petition continue to exist in the AT&T Missouri exchanges granted competitive classification under the 30-day track in Case No. TO-2006-0093. The Staff and AT&T Missouri stipulate that the Staff Report demonstrates that the competitive conditions for those exchanges continue to exist and should remain classified as competitive. Public Counsel does not join in that stipulation. Public Counsel does not object to the Staff's and AT&T Missouri's stipulation and will not offer any evidence in opposition to that stipulation.

9. Although the parties recognize that the bench may have questions about the conditions in the exchanges granted competitive classification under the 30-day track, the stipulation reflects the agreement of the parties to narrow the contested issue in this case to a determination of whether competitive conditions continue to exist in those exchanges granted competitive classification under the 60-day track. The stipulation is not intended to preclude AT&T Missouri from presenting evidence that some of the exchanges classified as competitive under the 60-day track also qualify under the 30-day track, and Public Counsel is not precluded from objecting to this evidence.

WHEREFORE, the parties request the Commission to adopt the proposed procedural schedule.

Respectfully submitted,

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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 the following counsel this 5th day of October 2006.

/s/ William K. Haas