

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

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| In the Matter of the Determination of the Weighted |) | |
| Statewide Average Rate of Nonwireless Basic |) | File No. TO-2011- |
| Local Telecommunication Services |) | |

MOTION TO OPEN CASE

COMES NOW the Staff of the Missouri Public Service Commission and for its Motion to Open Case states:

1. Section 392.245.13 RSMo Supp. 2009 provides:

Prior to January 1, 2006, the commission shall determine the weighted, statewide average rate of nonwireless basic local telecommunications services ...five years after the effective date of this section. The commission shall report its findings to the general assembly by ... January 30, 2011. If the commission finds that the weighted, statewide average rate of nonwireless basic local telecommunications service in ... 2011 is greater than the weighted, statewide average rate of nonwireless basic local telecommunications service in 2006 multiplied by one plus the percentage increase in the Consumer Price Index for all goods and services for the study periods, the commission shall recommend to the general assembly such changes in state law as the commission deems appropriate to achieve the purposes set forth in section 392.185. In determining the weighted, statewide average rate of nonwireless basic local telecommunications service, the commission shall exclude rate increases to nonwireless basic telecommunications service permitted under subsections 8 and 9 of this section and section 392.240 or exogenous costs incurred by the providers of nonwireless basic local telecommunications service.

2. Subsection 13 takes effect on August 28, 2005.

3. The Staff requests the Commission to open this case to provide a vehicle for the Commission to determine the average rate of nonwireless basic local telecommunications Services, to provide a Report to the General assembly by January 30, 2011.

4. The Staff requests the Commission to order all incumbent and competitive (alternative) local exchange telecommunications companies to provide both residential and business line counts and rates by exchange as of August 28, 2010. The Staff requests the Commission to order the companies to use the Excel worksheet and instructions on the Commission's website at <http://www.psc.mo.gov>. The Staff requests the Commission to order the companies to electronically submit the data to Staff member Dana Parish at dana.parish@psc.mo.gov no later than October 15, 2010.

5. The Staff proposes to use the same process to calculate the weighted, statewide average rate of nonwireless basic local telecommunications service as was used to calculate that rate as in Case No. TO-2006-0084.

6. The Staff believes that some companies consider line counts to be proprietary information. Accordingly, the Staff requests the Commission to remind Companies to appropriately mark its information prior to submission pursuant to 4 CSR 240-2.135.

7. The Staff requests the Commission to set an intervention date for these entities seeking to actively participate in the case.

WHEREFORE, the Staff requests the Commission to issue an Order that (1) opens a case file, (2) orders companies to provide the requested data as requested in paragraph 4, (3) reminds companies to appropriately mark confidential information and (4) sets an intervention deadline.

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 all counsel of record this 14th day of September, 2010.

