

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

In the Matter of the Review of the Deaf	)	
Relay Service and Equipment Distribution	)	Case No. TO-2009-0042
Fund Surcharge.	)	

**AT&T MISSOURI'S APPLICATION TO INTERVENE AND  
RESPONSE TO STAFF'S RECOMMENDATION**

AT&T Missouri<sup>1</sup> respectfully submits this Application to Intervene in the above-captioned proceeding, in accordance with Commission Rule 2.075 (4 CSR 240-2.075). AT&T Missouri further reports that it has no objection to Staff's recommendation to decrease the current Relay Missouri surcharge, from \$.13 per month to \$.11 per month, so long as the Commission allows at least a 60-day implementation period. This implementation period -- which the Commission has allowed in the past -- is needed so that AT&T Missouri can timely provide advance bill messages to its customers and implement necessary billing system changes.

In support of this Application and Response, AT&T Missouri states:

1. AT&T Missouri is a Missouri corporation with its principal Missouri office at One AT&T Center, Room 3520, St. Louis, Missouri 63101. AT&T Missouri is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri as each of those phrases is defined in Section 386.020 RSMo.

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<sup>1</sup> Southwestern Bell Telephone Company, d/b/a AT&T Missouri ("AT&T Missouri").

2. All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

Timothy P. Leahy  
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3. This case arose from Staff's August 11, 2008, Motion to Open Case to Review Staff Recommendation requesting that the Commission review the surcharge that funds the Relay Missouri program. Staff recommends that the Commission decrease the surcharge, from \$.13 per month to \$.11 per month, and that the Commission also maintain the current retention amount for local telephone companies. In the Commission's August 21, 2008, Order Establishing Case, the Commission directed that any party wishing to intervene and to respond to Staff's recommendation do so by not later than September 10, 2008.

4. The Commission should permit AT&T Missouri to intervene in this case pursuant to Commission Rule 2.075(4)(B) (4 CSR 240-2.075(4)(B)) because doing so would be in the public interest. AT&T Missouri bills the Relay Missouri surcharge to its end-user customers. Thus, it has a significant and direct interest in the operation of the Relay Missouri program in general, and in the continued accurate and timely billing of any Commission-ordered surcharge in particular. Additionally, AT&T Missouri will bring to this proceeding its extensive experience as a telecommunications provider. AT&T Missouri also has intervened and participated in previous instances when the Commission has had occasion to address the same surcharge it has been asked to address in this case.

5. The Commission's Order Establishing Case also provides that responses to Staff's recommendation should be filed no later than September 10, 2008. AT&T Missouri has no objection to Staff's recommendation. If, however, the Commission ultimately determines to change the monthly surcharge amount, whether by increasing it or by decreasing it, the Commission should make its order doing so effective not less than approximately 60 days from the date on which the order is issued, so that AT&T Missouri can timely provide advance bill messages to its customers and implement necessary billing system changes. Importantly, the Commission allowed a sixty-day implementation the last time that it changed the Relay Missouri surcharge amount.<sup>2</sup>

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY,  
D/B/A AT&T MISSOURI

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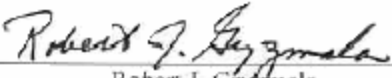
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<sup>2</sup> See, Case No. TO-2005-0308, Report and Order (issued June 28, 2005; effective July 1, 2005), at 9 (ordering that "the Relay Missouri surcharge shall be raised to \$.13 per month per access line, effective September 1, 2005.").

## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing document were served to all parties by e-mail on September 3, 2008.

  
Robert J. Gryzmala

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