

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

October 20, 1998

CASE NO: TO-98-49

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Enclosed find certified copy of ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

Uncertified Copy:

**Stephen F. Morris
701 Brazos, Suite 600
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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 20th
day of October, 1998.

In the Matter of the Application of the)
Mid-Missouri Group and the Small Telephone)
Group of Incumbent Local Exchange Companies)
for Designation as Telecommunications Company) Case No. TO-98-49
Carriers Eligible for Federal Universal)
Service Support Pursuant to Section 254 of)
the Telecommunications Act of 1996.)

**ORDER AMENDING ORDER DESIGNATING CERTAIN
ELIGIBLE TELECOMMUNICATIONS CARRIERS**

The Commission issued an order on December 4, 1997 approving a stipulation and designating members of the Mid-Missouri Group (MMG) and the Small Telephone Company Group (STCG), collectively referred to as Applicants, as eligible carriers pursuant to Section 254 of the Telecommunications Act of 1996. The Commission's order made members of MMG and STCG, all of them incumbent local exchange carriers, eligible to receive Federal Universal Service Support under 47 C.F.R. Section 54.201(d). When the Commission issued its order, 47 C.F.R. Section 54.101 required eligible carriers to provide toll limitation which, as defined by the Federal Communications Commission (FCC), included toll control. The Commission granted MMG and STCG members status as eligible carriers but granted them additional time to implement toll control because they did not have the technical capability to provide it. The Commission granted these companies an extension of time until December 31, 1999 to provide toll limitation as defined by 47 C.F.R. Section 54.400, and required the Applicants to file a report with the Commission by December 31, 1998 regarding the status of the technology and progress being made toward implementing toll limitation.

MMG and STCG filed a motion on September 10, 1998 asking the Commission to amend the December 4, 1997 order. The Applicants stated that the FCC had altered its stance on toll limitation in its Fourth Order on Reconsideration of the Universal Service Report and Order.¹ The FCC's order recognized that providing customers a choice of toll blocking or toll control is not technically viable for most companies. The FCC found that toll blocking would be sufficient to satisfy the Universal Service Fund requirements for eligible carriers, and that provision of toll control is not required. The Applicants asked the Commission to amend the order granting eligible carrier status to recognize that they now meet the FCC's requirement for toll limitation, and to relieve the Applicants of the duty to file reports and request waivers concerning toll limitation, and relieve them of the duty to implement toll control by December 31, 1999. No objections were filed to the Applicants' request for relief.

The Commission has reviewed the official case file and the motion filed by the Applicants and finds that the request is reasonable. Since the FCC has determined that the provision of toll control is not required for a company to meet the eligible carrier requirements, there is no need for the Commission to continue to enforce that requirement. Accordingly, the Commission will amend its December 4, 1997 order as requested.

IT IS THEREFORE ORDERED:

1. That the Motion of the Mid-Missouri Group and the Small Telephone Company Group for Amendment of Order filed on September 10, 1998 is granted.

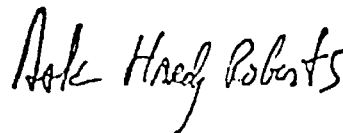
¹ CC Docket Nos. 96-45, 96-262, 94-1, 91-213, 95-72; FCC 97-420 (reprinted at 63 FR 2029).

2. That the Order Approving Stipulation and Designation of Eligible Toll Communications Carriers issued on December 4, 1997 is amended to show that the members of the Mid-Missouri Group and the Small Telephone Company Group now provide services which satisfy the revised definition of toll limitation and are in compliance with the toll limitation requirements set out for Federal Universal Service Fund eligibility.

3. That the Order Approving Stipulation and Designation of Eligible Toll Communications Carriers issued on December 4, 1997 is amended to eliminate the extension of time until December 31, 1999 to provide toll limitation as defined by 47 C.F.R. Section 54.400, to eliminate the requirement that a report be filed with the Commission on December 31, 1998 regarding the status of the technology and progress being made toward implementing toll limitation, and to eliminate the requirement that the Applicants file a request for additional time no later than November 1, 1999.

4. That this order shall become effective on October 30, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Drainer,
Murray and Schemenauer, CC.,
concur.

Wickliffe, Deputy Chief Regulatory Law Judge

ALJ/Sec'y: Wichliffe / Pope

10-14
Date Circulated

TO-98-49
CASE NO.

[Signature]
Lumpe, Chair

[Signature]
Crumpton, Commissioner

[Signature]
Murray, Commissioner

[Signature]
Schemenauer, Commissioner

[Signature]
Drainer, Vice-Chair

10-20
Agenda Date

Action taken: 5-OHS

Must Vote Not Later Than _____

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

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 20th day of October, 1998.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge