

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

January 12, 1999

CASE NO: TO-98-49

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Office of the Public Counsel
P. O. Box 7800
Jefferson City, MO 65102

W.R. England, III/Sondra B. Morgan
Brydon, Swearingen & England P.C.
312 E. Capitol Avenue, P. O. Box 456
Jefferson City, MO 65102

Craig S. Johnson
Andreck, Evans, Milne, Peace & Baumhoer
309 East McCarty Street, P. O. Box 1438
Jefferson City, Mo 65102

Mark Harper/Linda K. Gardner
5454 W. 110th Street
Overland Park, KS 66211

Julie Thomas Bowles
8140 Ward Parkway
Kansas City, MO 64114

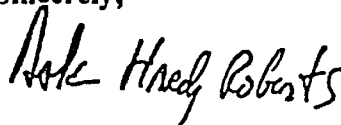
Carl J. Lumley/Leland B. Curtis
130 S. Bemiston, Suite 200
St. Louis, MO 63105

Tracy Pagliara
GTE Service Corporation
225 Madison Street, 2nd Floor
Jefferson City, MO 65101

Paul G. Lane/Leo J. Bub
Anthony K. Conroy/Katherine C. Swaller
One Bell Center, Room 3520
St. Louis, MO 63101-1976

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
Austin, TX 78701

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 12th
day of January, 1999.

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

**ORDER REGARDING OZARK TELEPHONE COMPANY'S REQUEST FOR
ADDITIONAL TIME TO COMPLETE NETWORK UPGRADES**

On August 1, 1997, the Mid-Missouri Group and the Small Telephone Company Group jointly filed an Application for Designation as Eligible Carriers Pursuant to Section 254 of the Telecommunications Act of 1996. In that application, the companies requested designation as telecommunications companies eligible to receive federal universal service support under 47 CFR 54.201(d). The companies represented that they provided all of the services necessary for receipt of support except that three companies, including Ozark Telephone Company (Ozark), requested additional time to provide single-party service.¹

¹ In addition, none of the companies was capable of providing toll limitation for qualifying low-income customers as the Federal Communications Commission (FCC) then defined that service. The FCC subsequently changed its definition and on October 20, 1998, the Commission issued an order that found that all of the companies now satisfy the revised definition of toll limitation.

On December 4, 1997, the Commission issued an Order Approving Stipulation and Designation of Eligible Telecommunications Carriers. By that order, the companies were designated as eligible telecommunications carriers for purposes of federal universal service support. Ozark and two other companies were granted extensions of time until December 31, 1998 to provide single-party service to all customers.

On December 23, 1998, Ozark filed a Request for Additional Time to Complete Network Upgrades in Regard to Designation as Eligible Carrier for Federal Universal Service Support. Ozark's request alleges that it has been unable to complete the network upgrades necessary to provide single-party service and requests an extension of time until June 30, 1999 to complete the required work. No other party has filed a response to Ozark's request.

47 CFR 54.101(b) requires that to be eligible to receive universal service support an eligible telecommunications carrier must offer each of the nine services listed in 47 CFR 54.101(a). One of those required services is single-party service. (47 CFR 54.101(a)(4)). 47 CFR 54.101(c) permits a state commission to allow additional time for a telecommunications carrier that is otherwise eligible to receive universal service support to complete the network upgrades needed to provide single-party service. That section of the regulation also provides that the state commission should allow additional time only if it finds that exceptional circumstances prevent the telecommunications

carrier from providing the required single-party service. The extension of time granted by the state commission should not extend beyond the time necessary for completion of the network upgrades.

On December 15, 1998, the Commission issued an order in Case Nos. TM-95-134/TO-93-309 which granted Ozark's request for additional time in which to complete its modernization plan. That extension of time was granted upon a showing that Ozark's modernization plan was delayed by problems in obtaining the required financing. The circumstances that justified the granting of additional time to complete the modernization plan also constitute exceptional circumstances for purposes of extending the time necessary for completion of the network upgrades required to provide single-party service.

IT IS THEREFORE ORDERED:

1. That Ozark Telephone Company's Request for Additional Time to Complete Network Upgrades in Regard to Designation as Eligible Carrier for Federal Universal Service Support is granted.

2. That Ozark Telephone Company is granted an extension of time until June 30, 1999 in which to complete the network upgrades required to provide single-party service to each of its customers.

3. That this order shall become effective on January 22, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Woodruff, Regulatory Law Judge

ALJ/Sec'y: Woodruff/Boyer

1-5
Date Circulated

TD-98-49
CASE NO.

[Signature]
Lumpie, Chair

[Signature]
Crumpton, Commissioner

[Signature]
Murray, Commissioner

[Signature]
Schemenauer, Commissioner

[Signature]
Drainer, Vice-Chair

*do we need to sign them
re-signing?*

1-12
Agenda Date

Action taken: AS

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 12TH day of JANUARY, 1999.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge