LAW OFFICES

BRYDON, SWEARENGEN & ENGLAND

PROFESSIONAL CORPORATION
312 EAST CAPITOL AVENUE
P.O. BOX 456

JEFFERSON CITY, MISSOURI 65 1 02-0456

AREA CODE 573
TELEPHONE 635-7166
FACSIMILE 634-7431

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN
SARAH J. MAXWELL
CHARLES E. SMARR
MARK G. ANDERSON
DEAN L. COOPER
CHRISTINE J. EGBARTS
TIMOTHY T. STEWART
GREGORY C. MITCHELL

FILLEID

MAR 1 3 1998

March 13, 1998

PUBLIC SERVICE COMMISSION

Mr. Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102

Re: Case No. TW-97-333

Dear Mr. Roberts:

Enclosed please find the original plus fourteen (14) copies of Request to Delay Distribution of Commission Notice Regarding Elimination of Community Optional Service for filing in the above referenced matter. Please bring this matter to the attention of the appropriate Commission personnel. A copy of this filing is being sent to all parties of record.

Thank you for your attention to this matter.

Very truly yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

Sondra B. Morgan

Sandra Mongan

SBM/k Enclosures

cc:

Office of Public Counsel Counsel of Record Bob Schoonmaker

FILED

BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

In the Matter of an Investigation into the Provision of Community Optional Calling Service in Missouri.

) Case No. TW-97-333

REQUEST TO DELAY DISTRIBUTION OF COMMISSION NOTICE REGARDING ELIMINATION OF COMMUNITY OPTIONAL SERVICE

Come now Alltel Missouri, Inc., Cass County Telephone Company, Craw-Kan
Telephone Cooperative, Inc., Fidelity Telephone Company, Bourbeuse Telephone Company,
New Florence Telephone Company, New London Telephone Company, and Stoutland
Telephone Company, and for their Request to Delay Distribution of Commission Notice
Regarding Elimination of Community Optional Service state to the Commission as follows:

- 1. On October 16, 1997, the Commission issued its Report and Order in the above-referenced case. This Order stated that "community optional service in the State of Missouri shall be eliminated not later than March 31, 1998." The Order further stated that "all telecommunications companies currently offering community optional service shall notify all their customers that community optional service shall be eliminated in their exchanges," and that "the participants to this case shall meet with the Commission staff to create one uniform notice to be sent to community optional service customers. Such proposed notice shall be submitted to the Commission for approval on or before November 17, 1997."
- 2. The companies listed above are local exchange carriers (LECs) subject to the jurisdiction of the Commission who participated in Case No. TW-97-33 as members of the Small Telephone Company Group ("STCG").
 - 3. On November 17, 1997, the parties and Staff submitted a proposed Notice to the

Commission for its approval. On December 24, 1997, the Commission issued its Order Approving Notice and on December 26, 1997, a Notice of Correction of Order Approving Notice. Attached to this Order was a copy of the Notice to be sent to community optional customers. This Order stated that "these notices may be provided as a bill insert or may be issued as a direct and separate mailing" at the option of the local exchange company. This Notice stated that "mandatory two-way Community Optional Service (COS) must be discontinued effective March 31, 1998."

- 4. The Commission did not specify a date certain for distribution of this official Notice, and the LECs listed above chose to delay sending the Notice to their customers until the February or March billing cycle.
- 5. On February 17, 1998, the Commission issued an Order Regarding Extension of Deadline in this case suspending its March 31, 1998, deadline for the elimination of COS and stating that the service would be phased out on or after June 1, 1998, depending upon the date when either the target or the petitioning COS exchange implements intraLATA presubscription. All exchanges were required to eliminate COS no later than February 28, 1999.
- 6. Thus, the information contained in the Commission's Notice is no longer accurate and would only serve to confuse the COS customers who have now learned through the press and through their legislators that the deadline for elimination has been postponed. Therefore, the companies listed above request that the Commission grant them permission to delay sending this official Commission Notice until such time as the company will be able to state definitely when the service will be discontinued in the affected exchange.

Wherefore, Alltel Missouri, Inc., Cass County Telephone Company, Craw-Kan Telephone Cooperative, Inc., Fidelity Telephone Company, Bourbeuse Telephone Company, New Florence Telephone Company, New London Telephone Company, and Stoutland Telephone Company respectfully request that the Commission grant their request to delay distributing the Commission's official Notice regarding the elimination of community optional service until such time as there is a definite date for the elimination of the service in the appropriate exchange and for any other orders appropriate in the circumstances.

Respectfully submitted,

(573) 635-7166

W.R. England, III MO #23975
Sondra B. Morgan MO #35482
Brydon, Swearengen & England P.C.
312 East Capitol
P.O. Box 456
Jefferson City, Missouri 65102

Attorneys for Alltel Missouri, Inc., Cass County Telephone Company, Craw-Kan Telephone Cooperative, Inc., Fidelity Telephone Company, Bourbeuse Telephone Company, New Florence Telephone Company, New London Telephone Company, and Stoutland Telephone Company

Certificate of Mailing

The undersigned hereby certifies that a true copy of the foregoing was mailed on March 13, 1998, by prepaid United States mail to the following:

Office of Public Counsel P.O. Box 7800 Jefferson City, MO 65102 Penny G. Baker Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102 Linda K. Gardner United Telephone Company of Missouri 5454 W. 110th Street Overland Park, KS 66211

Julie Grimaldi Julie Thomas Bowles Sprint Communications Company L.P. 8140 Ward Parkway Kansas City, MO 64114

Craig S. Johnson
Andereck, Evans, Milne, Peace
& Baumhoer
305 East McCarty Street
P.O. Box 1438
Jefferson City, MO 65102

Stephen Morris MCI Telecommunications Company 701 Brazos, Suite 600 Austin, TX 78701

Larry R. Lovett AT&T 101 W. McCarty, Suite 216 Jefferson City, MO 65101

Ronald Molteni Assistant Attorney General P.O. Box 899 Jefferson City, MO 65102 Mark Comley Newman, Comley & Ruth P.O. Box 537 Jefferson City, MO 65102

Paul G. Lane
Leo J. Bub
Antbony K. Conroy
Southwestern Bell Telephone Company
Legal Department
100 N. Tucker, Room 630
St. Louis, MO 63101-1976

Rick Zucker GTE Midwest Incorporated 1000 GTE Drive Wentzville, MO 63385

Paul H. Gardner Goller, Gardner & Feather 131 E. High Street Jefferson City, MO 65101

Mark Harper United Telephone Company of Missouri 5454 W. 110th Street Overland Park, KS 66211

Paul DeFord Lathrop & Gage 2345 W. 110th Street Kansas City, MO 64108

W.R. England, III/Sondra B. Morgan