



Commissioners

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Chair

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Vice Chair

## Missouri Public Service Commission

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Director, Policy & Planning

VACANT  
Director, Utility Services

DONNA M. KOLILIS  
Director, Administration

DALE HARDY ROBERTS  
Chief Administrative Law Judge

DANA K. JOYCE  
General Counsel

June 17, 1997

Mr. Cecil I. Wright  
Executive Secretary  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

FILED  
JUN 17 1997  
MISSOURI  
PUBLIC SERVICE COMMISSION

**RE: Case No. TW-97-333 - Community Optional Service Investigation**

Dear Mr. Wright:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **Motion to File Issues Memorandum Four Hours out of Time.**

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Cherlyn D. McGowan  
Assistant General Counsel  
573-751-3966  
573-751-9285 (Fax)

CDM/clw  
Enclosure

cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED  
JUN 17 1997  
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

**MOTION TO FILE ISSUES MEMORANDUM FOUR HOURS OUT OF TIME**

Comes now the Staff of the Missouri Public Service Commission (Staff), by and through the Commission's Office of General Counsel, and for its Motion to File Issues Memorandum Four Hours Out of Time respectfully states as follows:

1. The Commission modified the procedural schedule in the above referenced case by its order dated May 1, 1997. The modified procedural schedule stated in pertinent part:

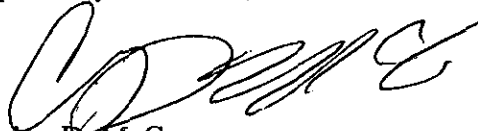
Issues Memorandum filed

June 16, 1997

2. Due to unforeseen circumstances the hearing memorandum will not be ready to file until 12:00 noon, Tuesday, June 17, 1997. Because of a misunderstanding relating to the deadline to provide party positions, five (5) of the twelve (12) parties to the docket did not provide the Staff with their positions on the relevant issues until after 2:00 p.m. on the date the Issues Memorandum was due. The Staff was unable to incorporate all of the late party positions and obtain party signatures in time to file the Issues Memorandum by the 5:00 p.m. deadline. The Staff declined to exercise its right to file the Issues Memorandum without the missing parties, because of the honest misunderstandings involved and the limited value to the Commissioners of an Issues Memorandum missing over a third of the party positions.

WHEREFORE, the Staff respectfully requests that the Commission accept the Issues Memorandum to be late filed on June 17, 1997.

Respectfully submitted,



Cheryl D. McGowan  
Assistant General Counsel  
Missouri Bar #42044

Attorney for the Staff of the  
Missouri Public Service Commission  
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Jefferson City, MO 65102  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 17th day of June, 1997.



Service List

Case No. TW-97-333

Revised: June 17, 1997

Mark W. Comley  
Newman, Comley & Ruth  
205 East Capitol Avenue  
Jefferson City, MO 65102-0537

Craig S. Johnson  
301 East McCarty  
P. O. Box 1438  
Jefferson City, MO 65102

W. R. England  
Sondra B. Morgan  
312 East Capitol Avenue  
Jefferson City, MO 65102

James C. Stroo  
GTE Telephone Operations  
1000 GTE Drive, P. O. Box 307  
Wentzville, MO 63385

Paul G. Lane/Diana J. Harter  
Leo J. Bub/Anthony K. Conroy  
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St. Louis, MO 63101-1976

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