

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

In the matter of the tariff filing of)	
Southwestern Bell Telephone, L.P.)	Case No. TT-2003-0312
d/b/a SBC Missouri concerning the)	Tariff No. JI-2003-1528
payment of late fees on disputed charges.)	

SBC MISSOURI'S FURTHER RESPONSE

SBC Missouri¹ wishes to advise the Commission that after receiving Office of the Public Counsel's ("OPC's") March 4, 2003 Clarification of its Position on Tariff, SBC Missouri discussed the proposed tariff revision with OPC and believes OPC's concerns can be addressed with a minor wording change.

As SBC Missouri explained in its initial Response, it proposed this tariff revision for the benefit of customers to allow SBC Missouri to exempt disputed charges from the late payment charge until the dispute is resolved. Currently, the tariff requires the late payment charge to be applied to amounts in dispute that go unpaid, with a later adjustment if the dispute is resolved in the customer's favor.² With the proposed tariff change, SBC Missouri sought authority to change its practice in this area so that it would, "where possible," exempt the disputed portion of the bill from late payment charges until the claim is resolved.³

In discussing this matter with OPC, SBC Missouri understands OPC's concern to be that the words "where possible" allow too much discretion to apply late payment charges to disputed amounts. SBC Missouri, however, does not seek to retain unfettered discretion to apply late

¹ Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, will be referred to in this pleading as "SBC Missouri."

² SBC Missouri General Exchange Tariff, Section 17.6.1(A), 6th Revised Sheet 12.01 currently states: "When the balance carried over is in dispute, the late payment charge will be applied and adjusted later, if appropriate, based on the resolution of the claim." The language in the business tariff is similar.

³ With its proposed tariff, SBC Missouri proposed changing the word "will" from Section 17.6.1(A) (quoted above) to "may" and adding the following short paragraph: "Where possible, the company will exempt the disputed portion of the bill from Late Payment Charges until the claim is resolved. If the claim is resolved in favor of the company, the late payment charge will be applied if appropriate."

payment charges to amounts in dispute. The use of the words “where possible” were simply intended to provide for the situation in which a customer delays calling in to dispute something on his or her bill until after the next billing cycle is processed. In that case, it would not be “possible” for SBC Missouri to suppress the late payment charge because the billing system would already have generated the new bill with the late charge. In discussing this timing issue with OPC, SBC Missouri and OPC concur that OPC’s concerns can be addressed by substituting the following more objective language into the proposed tariff revision:

~~Where possible~~ If the customer notifies the Company before the next bill is generated, the Company will exempt the disputed portion of the bill from Late Payment Charges until the claim is resolved. If the claim is resolved in favor of the Company, the late payment charge will be applied if appropriate.

SBC Missouri appreciates OPC’s willingness to work together to bring the benefit of this proposed change to customers. Accordingly, SBC Missouri respectfully requests the Commission to approve this tariff change as modified above.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.

BY

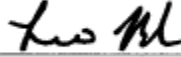


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CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on March 5 2003.

A handwritten signature in black ink, appearing to read "Leo J. Bub", is written over a horizontal line.

Leo J. Bub

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