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June 1, 2001

FILED

JUN 1 2001

Missouri Public
Service Commission

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65101

Re: Case No. TA-99-47
Tariff File 200100925

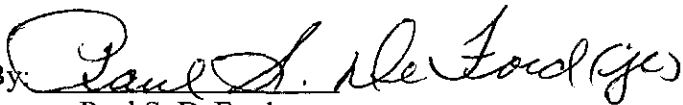
Dear Judge Roberts:

Attached for filing with the Commission is the original and eight (8) copies of AT&T Communications of the Southwest, Inc.'s Motion to Consolidate and Establish Procedure Schedule in the above referenced docket.

I thank you in advance for your cooperation in bringing this to the attention of the Commission.

Very truly yours,

LATHROP & GAGE, L.C.

By: 
Paul S. DeFord

Attachment

cc: All Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED
JUN 1 2001

Missouri Public
Service Commission

In the Matter of the Application of)
Southwestern Bell Communications)
Services, Inc., d/b/a Southwestern Bell)
Long Distance for a Certificate of Service)
Authority to Provide Interexchange)
Telecommunications Services Within)
The State of Missouri.)

Case No. TA-99-47
Tariff File 200100925

In the Matter of Southwestern Bell)
Communications Services, Inc. d/b/a)
SBC Long Distance Services Application)
For Certificate of Service Authority to)
Provide Intrastate Interexchange)
Telecommunications Services)

Case No. TA-2001-475
Tariff File No. 200100928

**MOTION TO CONSOLIDATE AND
ESTABLISH PROCEDURE SCHEDULE**

COMES NOW, AT&T Communications of the Southwest, Inc. ("AT&T"), and for its'
Motion to Consolidate and Establish Procedural Schedule and states;

1. On August 4, 1998, Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance (SWB LD) filed an application with the Commission seeking authority to provide interexchange telecommunications services in Missouri. The case was docketed as Case No. TA-99-47. The Missouri Independent Telephone Company Group ("MITG") the group formally known as the Mid-Missouri Group, Sprint Communications, L.P., MCI Telecommunications Corporation, McLeodUSA Telecommunications Services, Inc., AT&T, Comp Tel-MO, and Digital Teleport, Inc. were granted intervention. Participation without intervention was granted to Fidelity Telephone Company and the Small Telephone Company Group.

2. On January 12, 1999 the Commission issued a stay in TA-99-47 until the issuance of the Commission's recommendation to the Federal Communications Commission for approval of SBC's application for in-region interLATA service or until otherwise ordered.

3. On March 7, 2001 SWB LD filed its First Amended Application and revised tariff. Also on March 7, 2001, Southwestern Bell Communications Services, Inc. d/b/a SBC Long Distance, Inc. filed a second application to provide interexchange telecommunications service. The second application has been docketed as Case No. TA-2001-475. The only discernable difference between the two applications and proposed tariffs were the fictitious name Southwestern Bell Communications Services, Inc. was proposing to operate under. The corporate entity, rates, terms and conditions appear to be identical¹.

4. On May 1, 2001 the Commission issued an Order directing Staff to make a recommendation on each request to intervene and motions for suspension no later than May 10, 2001. In its response, Staff noted that the aforementioned parties had been granted intervention. However, Staff recommended that the Motions to Suspend be denied. Staff indicated that it would further review the proposed tariff and make a recommendation at a later date.

5. Staff's willingness to ignore the statutory mandate that applications for interexchange authority shall be approved only after notice and hearing has apparently led it to conclude that the tariffs, which Commission rules require be submitted with the application, may be disaggregated and consider separately.² AT&T submits Staff is incorrect. Absent showing of good cause as to why tariffs cannot be filed simultaneous with an application, the Commission

¹ SBC has not provided any rationale for filing two separate applications. To the extent that the second filing may circumvent Case No. TA-99-47, in which parties have been granted intervention, AT&T has serious concerns. If the second filing was made in the hope that the Commission would not grant intervention a second time, AT&T would suggest that it would not be appropriate to even process the filing.

² See Section 392.430, RSMo 2000 an 4 CSR 260-2.060(6)(1)(C).

rules clearly contemplate that consideration of the terms, conditions and pricing upon which services will be offered are an integral part of the application process.

6. In the case at hand, AT&T and other proper parties have requested the opportunity to be heard on a number of issues including the propriety of the proposed tariffs. AT&T therefore believes the proposed tariffs should be suspended for an indefinite period while the application and tariffs are thoroughly examined in the context of evidentiary hearings.

7. Because Southwestern Bell Communication Services, Inc. does not hold any certificate of service authority it cannot invoke the file and suspend process for consideration of its proposed tariffs. There is no statutory deadline for processing applications for certificates of service authority and one cannot be de facto created by filing a proposed tariff with an "effective" date.

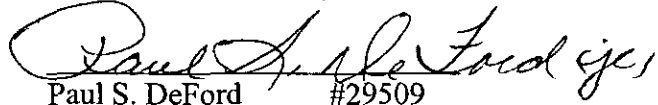
8. Because these cases clearly involve a common nucleus of operative facts and law, AT&T requests that the Commission consolidate them for purposes of hearing. AT&T further requests that the Commission establish an early prehearing conference for the parties to discuss and develop a proposed procedural schedule.

9. Finally, AT&T requests that the Commission clarify that the stay entered into Case No. TA-99-47 has been lifted and that the case may now proceed.

WHEREFORE, AT&T requests the Commission issue an Order confirming that the stay has been lifted, grant AT&T's request for an evidentiary hearing and establish a prehearing conference. Additionally, AT&T requests the Commission grant AT&T's request to consolidate Case No. TA-2001-475 and Case No. TA-99-47.

Respectfully submitted,

LATHROP & GAGE, L.C.

A handwritten signature in cursive script that reads "Paul S. DeFord".

Paul S. DeFord #29509

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CERTIFICATE OF SERVICE

I HEREBY certify that copies of the foregoing Motion were served to the following by first class mail on this 1st day of June, 2001:

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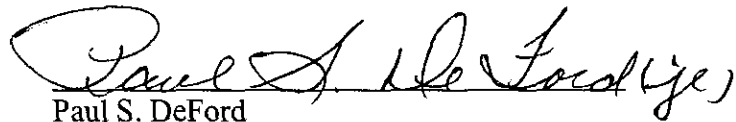
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