

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 16th
day of December, 1999.

In the Matter of the Tariff of)	
Southwestern Bell Telephone Company to)	
Revise the Customer Specific Pricing Plan)	Case No. TT-2000-355
Tariff and to Update the Notification)	Tariff No. 200000466
Process for Sold Cases.)	

**ORDER DENYING MOTION TO SUSPEND
TARIFF AND APPROVING TARIFF**

On November, 19, 1999, Southwestern Bell Telephone Company (SWBT) filed a proposed tariff to revise the Customer Specific Pricing Plan tariff to update the notification process for the individual customer specific pricing plans that it sells. Under the modified tariff, information about the plans SWBT sells would be provided to the Staff of the Commission (Staff) upon request rather than automatically. The proposed tariff carried an effective date of December 19, and on December 7, SWBT extended the effective date of the tariff until December 26. On December 2, the Office of the Public Counsel (Public Counsel) filed a motion to suspend the tariff.

Public Counsel's motion urges the Commission to suspend SWBT's tariff because, rather than requiring SWBT to automatically file cost studies showing that the proposed customer specific pricing recovers all costs and its appropriate

joint and common costs, the amended tariff would require that such cost studies be filed only when such filing is requested by the Commission. Public Counsel alleges that this change removes the Commission's ability to oversee SWBT to assure that predatory pricing does not occur and to protect all ratepayers by requiring that a highly competitive service recovers its costs.

On December 6, the Commission notified interested parties that any response to Public Counsel's motion was to be filed on or before December 10. On December 10, SWBT and the Staff of the Commission (Staff) filed separate responses to Public Counsel's motion.

Staff and SWBT agree that Public Counsel's motion should be denied. They point out that requiring SWBT to automatically file each of its cost studies is an inefficient use of resources for both SWBT and the Commission. SWBT would still be required to perform the cost studies, but Staff would review them only if the need arose. SWBT and Staff also agree that changes made by the tariff filing would allow the Commission to handle SWBT's cost studies in the same way that the Commission is already handling those of GTE Midwest, MCI WorldCom Communications, Inc., and Nextlink Missouri, Inc.

The Commission has considered Public Counsel's Motion to Suspend, along with the responses filed by Staff and SWBT. The Commission concludes that the changes made by SWBT's tariff are consistent with the Commission's obligation to oversee SWBT's customer specific pricing plans while avoiding an inefficient and

unnecessary use of resources. Furthermore, Public Counsel may review the cost studies performed by SWBT if it so desires.

IT IS THEREFORE ORDERED:

1. That the Office of the Public Counsel's Motion to Suspend Tariff is denied.

2. That the tariff filed by Southwestern Bell Telephone Company on November 19, 1999 (tariff file no. 200000466) is approved to become effective on December 26, 1999. The tariff approved is:

P.S.C. Mo. Tariff No. 37
Customer Specific Plan Tariff
Section 1
2nd Revised Sheet 10
Replacing 1st Revised Sheet 10

3. That this order shall become effective on December 26, 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

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION