

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
August 3, 1999**

CASE NO: TT-99-428, TT-99-429, TT-99-430, TT-99-431, TT-99-432, & TT-99-433

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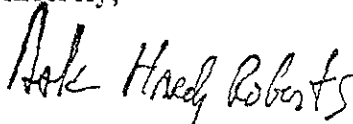
Southwestern Bell Wireless, Inc.
13075 Manchester Road, 100N
St. Louis, MO 63131

Paul Lane/Leo Bub

Anthony Conroy/Katherine Swaller
Southwestern Bell Telephone Company
One Bell Center, Room 3518
St. Louis, MO 63101

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

Uncertified Copy:

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

| | | |
|--|---|---------------------------|
| In the Matter of Alma Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2. |) | <u>Case No. TT-99-428</u> |
| |) | <u>Tariff No. 9900658</u> |
| In the Matter of MoKan Dial, Inc.'s Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2. |) | <u>Case No. TT-99-429</u> |
| |) | <u>Tariff No. 9900656</u> |
| In the Matter of Mid-Missouri Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2. |) | <u>Case No. TT-99-430</u> |
| |) | <u>Tariff No. 9900712</u> |
| In the Matter of Choctaw Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 1 |) | <u>Case No. TT-99-431</u> |
| |) | <u>Tariff No. 9900667</u> |
| In the Matter of Chariton Valley Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2. |) | <u>Case No. TT-99-432</u> |
| |) | <u>Tariff No. 9900657</u> |
| In the Matter of Peace Valley Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2. |) | <u>Case No. TT-99-433</u> |
| |) | <u>Tariff No. 9900655</u> |

ORDER OVERRULING MOTION TO ESTABLISH PROCEDURAL SCHEDULE

On July 15, 1999, the Mid-Missouri Group, in response to the Commission's order of June 30, 1999, to file a procedural schedule no later than July 20, 1999, filed its *Motion to Establish Procedural Schedule*. The Applicants in all these cases are small telephone companies. Thus, all these cases are covered by RSMo 392.230(5) which states:

Whenever a small telephone company seeks to implement any new individual or joint rate, rental or charge, or any individual or joint regulation or practice affecting any rate, rental or charge, it shall file same with the commission and notify its customers of such change at least thirty days in advance of the date on which the new rate, rental, charge, regulation or practice is proposed to become effective. Upon the filing by a small telephone company of any new individual or joint rate, rental or charge, or any new individual or joint regulation or practice affecting any rate, rental or charge, the commission shall have, and it is hereby given, authority, either upon complaint or upon its own initiative without complaint, at once, and if it so orders without answer or other formal pleading by the interested small telephone company or companies, but upon reasonable notice, to enter upon a hearing concerning the propriety of such rate, rental, charge, regulation or practice; and pending such hearing and the decision thereon the commission, upon filing with such schedule and delivering to the small telephone company affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such schedule and defer the use of such rate, rental, charge, regulation or practice, but *not for a longer period than one hundred fifty days beyond the time when such rate, rental, charge, regulation or practice would otherwise go into effect.* If the commission fails to issue its decision within the one-hundred-fifty-day suspension period, the investigation shall be closed and the rate, rental, charge, regulation or practice shall be considered approved for all purposes. *(Emphasis supplied.)*

The Commission has a total of 180 days to act from the date of the tariff filing. The tariff filing date of the Alma and MoKan tariffs was on March 9, 1999, and 180 days from that date is September 5, 1999. Since the proposed procedural schedule has dates which occur after that date, the motion to accept it is overruled. The Commission will require a new procedural schedule to be filed no later than August 6, 1999, which allows the Commission adequate time to issue a decision effective September 5, 1999. All transcripts must be filed and briefs or oral arguments completed by August 23, 1999.

IT IS THEREFORE ORDERED:

1. That no later than 3:00 PM on August 6, 1999, the parties will file a modified procedural schedule.
2. That this order shall become effective August 13, 1999.

BY THE COMMISSION



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

(S E A L)

Bill Hopkins, Senior Regulatory Law
Judge, by delegation of authority
Pursuant to 4 CSR 240-2.120(1)
(November 30, 1995) and
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 3rd day of August, 1999.

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

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson
City,

Missouri, this 3RD day of AUGUST, 1999.



Dale Hardy Roberts

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**