

## B

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 23rd  
day of March, 1993.

In the matter of the establishment of a plan )  
for expanded calling scopes in metropolitan ) CASE NO. TO-92-306  
and outstate exchanges. )

## ORDER CLARIFYING REPORT AND ORDER

On March 2, 1993, GTE North, Inc., GTE Systems of Missouri, and GTE of Eastern Missouri (GTE), Southwestern Bell Telephone Company (SWB) and United Telephone Company (United) filed a motion requesting the Commission clarify its Report and Order of December 23, 1992, with regard to whether refunds of the Outstate Calling Area (OCA) Plan and modified Community Optional Service (COS) coverage should be made to all access customers or just Primary Toll Carriers (PTCs). The motion indicates that the Small Telephone Company Group (STCG) and ALLTEL, et al. consented to the filing of the motion. On March 5, 1993, CompTel of Missouri filed a response to the motion. The Small Telephone Company Group filed a reply to CompTel's response. On March 8, 1993, the Mid-Missouri Group filed a response to the motion. On March 16, 1993, SWB filed replies to the responses of CompTel and Mid-Missouri Group. On March 22, 1993, the Commission Staff filed a pleading in this matter.

The Commission in its December 23, 1992 Report and Order, adopted access charges as the intercompany compensation plan for OCA and modified COS. To ensure revenue neutrality for those small exchange companies that would experience a gain under this intercompany compensation method, the Commission ordered that the LECs true-up their actual revenue gains and refund any gain. The refund calculations are to be based upon a comparison of the six months prior to implementation with the six-month period after implementation. After the true-up, access rates must be reduced.

The true-up plan adopted by the Commission was the one presented by STCG and ALLTEL, et al. The STCG/ALLTEL plan proposed that refunds be made to both PTCs and IXCs of revenue gains from OCA/COS. At p. 44 of its Report and Order, the Commission described the plan as refunding "access revenue gain to PTCs." This is the source of the request for clarification since parties are attempting to develop revenue neutral tariffs and the refunds will affect those calculations.

The Commission upon review of its order makes this clarification. The Commission adopted the STCG/ALLTEL plan for true-up for the OCA and modified COS intercompany compensation proposal which utilizes access charges. The Commission described the refund mechanism as requiring refunds "to PTCs." Mimeo at 44. This language reflects the testimony of STCG/ALLTEL Schoonmaker in Exhibit 51, p. 20, lines 12-14 and line 26.

This description though is not entirely accurate nor does it reflect accurately the STCG/ALLTEL proposal. In later testimony, Schoonmaker specifically states that refunds were proposed to be made to all access customers who are billed intraLATA access charges. (Exhibit 53, pp. 14, 15; and Tr. 370). The Commission adopted the STCG/ALLTEL proposal for true-up and refunds and the description on p. 44 of its Report and Order does not change that decision. Refunds shall be made to all IXCs and PTCs billed intraLATA access charges. The parties should develop their revenue neutral tariffs on this basis.

As stated in its Report and Order, the Commission expected to respond to motions for clarification such as the one addressed in this order. This clarification does not alter or modify the December 23, 1992 Report and Order, but clarifies what was perceived as an ambiguity by the parties participating in the technical conference. The Commission expressly retained jurisdiction over the implementation of the plans adopted in this case until all issues raised by the technical conference are addressed and an implementation

schedule is adopted. The Commission finds CompTel assertions to the contrary to be without merit.

IT IS THEREFORE ORDERED:

1. That the Commission's Report and Order issued December 23, 1992, is clarified as described in this order.
2. That this Order shall become effective on the date hereof.

BY THE COMMISSION

*Brent Stewart*

Brent Stewart  
Executive Secretary

(S E A L)

McClure, Chm., Mueller, Perkins  
and Kincheloe, CC., Concur.  
Rauch, C., Not Participating.