

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Bell)
Atlantic Communications, Inc. for Expedited) Case No. TT-2000-492
Approval of the Revision of its Missouri) Tariff No. 20000723
Tariff No. 1)

ORDER APPROVING TARIFF

On February 10, 2000, Bell Atlantic Communications, Inc., (Bell Atlantic) filed with the Missouri Public Service Commission (Commission) Bell Atlantic's proposed revision of its Missouri Tariff No. 1. Bell Atlantic filed no pleading, but in its cover letter, requested ". . . expedited service for this filing reflecting an effective date of March 7 (sic), 2000." In fact, the proposed tariff submitted by Bell Atlantic date bore an effective date of March 11, 2000; this is the date which is controlling, so the tariffs will go into effect on March 11, 2000.

Commission Rule 4 CSR 240-2.065(2) states, in part:

When a public utility regulated by the Public Service Commission submits a tariff for commission approval but requests the tariff [to] become effective in less than thirty (30) days . . . [such] request for less than thirty (30)-day approval must state good cause for such treatment.

In its order requesting response entered on February 16, 2000, the Commission notified Bell Atlantic that if it desired to have its tariffs approved sooner than March 11, 2000, it should comply with Commission Rule 4 CSR 240-2.065(2) by making a request for less than thirty (30)-day

approval of its revised tariff and stating good cause for such treatment. Bell Atlantic didn't file any pleading that requested expedited treatment and it never showed good cause for such expedited treatment.

In that same order, the Commission directed the Staff of the Commission (Staff) to respond within five (5) days, stating in a pleading whether or not it would be able to handle this case in an expedited manner and, if so, giving suggested dates for the filing of a Staff report or recommendation. On February 22, 2000, Staff filed its response, stating that Bell Atlantic had never given any reason for the expedited handling of its tariff and that Bell Atlantic had also failed to respond to a Staff request for a copy of the notice which Bell Atlantic had sent to its customers.¹ For those reasons, Staff stated, it was unable to expedite the case.

On February 24, 2000, Bell Atlantic submitted substitute tariff sheets which kept the effective date of the tariff as March 11, 2000, although Bell Atlantic, in its cover letter, requested an effective date of March 7, 2000. Bell Atlantic stated that the substitute tariff sheets were submitted at the request of Staff to replace those tariff sheets previously filed.

On February 28, 2000, Bell Atlantic submitted substitute tariff sheets which kept the effective date of the tariff as March 11, 2000, although Bell Atlantic, in its cover letter, requested an effective date

¹ In a letter to the Commission received on March 2, 2000, Bell Atlantic stated that " [t]he Staff's first objection to expedited treatment was lack of customer notice. This problem has been resolved by withdrawing those elements that would have resulted in a rate increase."

of March 7, 2000. Bell Atlantic stated that the substitute tariff sheets were submitted at the request of Staff to replace those tariff sheets previously filed.

On February 29, 2000, Bell Atlantic submitted substitute tariff sheets which kept the effective date of the tariff as March 11, 2000, although Bell Atlantic, in its cover letter, requested an effective date of March 7, 2000. Bell Atlantic stated that the substitute tariff sheets were submitted at the request of Staff to replace those tariff sheets previously filed.

On March 1, 2000, Staff filed its recommendation. Staff stated that it had reviewed the filing by Bell Atlantic and recommended the approval of the changes to Bell Atlantic's tariff sheets per the Staff memorandum attached to Staff's pleading as Appendix A. In Appendix A, Staff stated that the proposed tariff revisions were to delete and add text, add a pay telephone surcharge, and introduce the Plan A, B, C, and D services, BACI Travel Card Service, operator assistance, Joint Offer Card Service, and promotions. Staff recommended the tariffs become effective on March 11, 2000.

No motions to suspend the tariff were filed, no applications to intervene were filed, and no party has requested a hearing. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989). Since

no one has requested a hearing, the Commission may grant the relief requested based on the application.

The Commission finds that Bell Atlantic's tariff filing is reasonable, in the public interest, and should be approved.

IT IS THEREFORE ORDERED:

1. That the tariff sheets filed by Bell Atlantic Communications, Inc., under Tariff Number 20000723, on February 10, 2000, and as revised on February 24, 28, and 29, 2000, are approved for service on and after March 11, 2000. The tariff sheets approved are:

P.S.C. Missouri Tariff No. 1

First Revised Sheet 1
First Revised Sheet 8
Original Sheet 14.1
First Revised Sheet 23
First Revised Sheet 27
First Revised Sheet 30
First Revised Sheet 33
Second Revised Sheet 36
Original Sheet 37.2
First Revised Sheet 38
First Revised Sheet 41
Original Sheet 42.2
First Revised Sheet 43.2
Original Sheet 45.2
Original Page 45.5
Original Sheet 52
First Revised Sheet 6
First Revised Sheet 12
First Revised Sheet 16
First Revised Sheet 24
Second Revised Sheet 28
Second Revised Sheet 31
Second Revised Sheet 34
Second Revised Sheet 37
Original Sheet 37.3
First Revised Sheet 39
First Revised Sheet 42
First Revised Sheet 43
First Revised Sheet 44

Original Sheet 45.3
First Revised Sheet 46
Original Sheet 53
First Revised Sheet 7
First Revised Sheet 14
First Revised Sheet 20
First Revised Sheet 26
First Revised Sheet 29
First Revised Sheet 32
Second Revised Sheet 35
Original Sheet 37.1
Original Sheet 37.4
First Revised Sheet 40
Original Sheet 42.1
First Revised Sheet 43.1
Original Sheet 45.1
Original Sheet 45.4
Original Sheet 51
Original Sheet 39.1
Original Sheet 52
First Revised Sheet 42.1

2. That this order shall become effective on March 11, 2000.
3. That this case may be closed on March 12, 2000.

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 10th day of March, 2000.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION