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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 17th
day of August, 1999.

In the Matter of an Investigation Concerning)
the Primary Toll Carrier Plan and IntraLATA)
Dialing Parity.)
Case No. TO-99-254

ORDER REGARDING REQUEST FOR CLARIFICATION

On June 23, 1999, the Office of the Public Counsel (Public Counsel) filed a Motion for Clarification. Public Counsel asks that the Commission clarify the effect of the Report and Order issued on June 10, 1999, on the status of the Outstate Calling Area Plans (OCA). Public Counsel stated that it had only recently become aware that many of the Local Exchange Carriers (LECs) believe that terminating the Primary Toll Carrier (PTC) plan will also terminate OCA service. Public Counsel states that, since the termination of OCA does not appear on the list of issues submitted in this case, and was not explicitly discussed in the Report and Order, the Commission should clarify the effect of the Report and Order on OCA.

On June 28, 1999, the Small Telephone Company Group (STCG)¹ filed a response to Public Counsel's request for clarification. STCG points out that, as early as the filing of direct testimony, it presented evidence that the elimination of the PTC plan would result in the elimination of OCA in Secondary Carrier (SC) exchanges. STCG states that the IntraLATA Dialing Parity (ILDPA) plans filed by many of the SCs made specific mention of the fact that OCA would no longer be available. STCG also cites a portion of the transcript of the evidentiary hearing in which one of its witnesses testified that OCA would end with the end of the PTC plan. STCG notes that the PTCs were the only parties directed by the Commission to provide OCA service, and that one result of the elimination of the PTC plan is that OCA service will no longer be provided in SC exchanges.

On July 6, 1999, Southwestern Bell Telephone Company (SWBT) filed a response to Public Counsel's request for clarification. SWBT states that OCA service is not being eliminated with the termination of the PTC

1 For purposes of this proceeding, the Small Telephone Company Group consists of ALLTEL Missouri, Inc., BPS Telephone Company, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Inc., Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company, Goodman Telephone Company, Inc., Granby Telephone Company, Grand River Mutual Telephone Corporation, Green Hills Telephone Corporation, Holway Telephone Company, Iamo Telephone Company, KLM Telephone Company, Kingdom Telephone Company, Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, McDonald County Telephone Company, Miller Telephone Company, New Florence Telephone Company, New London Telephone Company, Orchard Farm Telephone Company, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Rock Port Telephone Company, Seneca Telephone Company, Steelville Telephone Exchange, Inc., and Stoutland Telephone Company.

plan; it is only the provision of OCA by PTCs in SC exchanges that is ending. SWBT states that once the PTC plan is terminated, the PTCs will no longer provide any toll services, including OCA, in SC exchanges. SWBT notes that the termination of the PTC plan will not affect the provision of OCA service by the PTCs to customers in their own exchanges. SWBT points out that IXC's or the SCs can provide a service like OCA in SC exchanges if they choose. SWBT, like STCG, lists numerous instances in the evidentiary record in which the link between the termination of the PTC plan and the provision of OCA service is made clear.

Although the record in this case should have made it clear, the Commission will clarify the effect of the Report and Order on the provision of OCA service as follows: Upon the termination of the PTC plan, the PTCs will no longer provide any toll services, including OCA, in SC exchanges. The PTCs will continue to offer services, including OCA, to their own customers according to the provisions of their tariffs.

IT IS THEREFORE ORDERED:

1. That the request for clarification filed by the Office of the Public Counsel is granted.

2. That this order shall become effective on August 27, 1999.

BY THE COMMISSION

A handwritten signature in dark ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, somewhat stylized script.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Murray,
Schemenauer, and Drainer, CC., concur

Mills, Deputy Chief Regulatory Law Judge