

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
December 13, 2001**

CASE NO: TO-99-593

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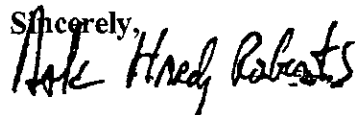
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,


Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified copies : to all telecommunications companies certificated in Missouri

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office in
Jefferson City on the 13th day of
December, 2001.

In the Matter of the Investigation
into Signaling Protocols, Call
Records, Trunking Arrangements,
and Traffic Measurement

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Case No. TO-99-593

**ORDER DIRECTING IMPLEMENTATION, DENYING MOTION TO
CONSOLIDATE, AND GRANTING INTERVENTION**

Syllabus: The Commission orders the implementation of Issue 2056 developed by the Ordering and Billing Forum. Issue 2056 will enhance record exchanges among telecommunications companies, thereby reducing billing discrepancies and making disputes easier to resolve. The Commission orders its Staff to begin the rulemaking process to promulgate a rule that will codify the requirement that all Missouri telecommunications companies implement Issue 2056. The Commission also denies a motion to consolidate this case with a recently filed complaint case, and grants intervention to three applicants.

Issue 2056: This case was established to investigate the technical issues of signaling protocols, call records, trunking arrangements, and traffic measurement. All of these four issues had arisen in the context of implementing intraLATA toll dialing parity and eliminating the Primary Toll Carrier plan. Resolving these issues was not necessary for implementation of intraLATA dialing parity, nor was there time to adequately address them before a federal deadline, so the Commission created this case.

As the case progressed, the issues on which the parties focused changed. The parties agreed that there were no issues for the Commission to decide in this case with respect to signaling protocols. They also gave little attention to trunking arrangements; the only specific proposal for making changes to the current trunking arrangements was to move Metropolitan Calling Area traffic onto separate trunks, and that was only one of several alternatives for dealing with MCA traffic.

Instead, the focus of the parties in this case came to bear on the question of a proposed change in the business relationships among carriers proposed by the Small Telephone Company Group¹ and the Missouri Independent Telephone Company Group.² These groups proposed that the Commission change the business relationship that currently exists among telecommunications companies so that the former primary toll carriers (PTCs) are responsible for all terminating traffic based on terminating recordings (with the exception of interstate feature group A, interstate intraLATA, interexchange carrier, MCA, and intra-major-trading-area wireless transited by another LEC to the

1 The Small Telephone Company Group, or STCG, consists of 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, Fidelity 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, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Peace Valley Telephone Company, Rock Port Telephone Company, Seneca Telephone Company, Spectra Communications Group, Inc., and Steelville Telephone Exchange, Inc.

2 The Missouri Independent Telephone Company Group, or MITG, consists of Alma Telephone Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, MoKan Dial, Inc., Modern Telecommunications Company, Northeast Missouri Rural Telephone Company.

terminating LEC. This proposal subsumed the issues of call records and traffic measurement. All parties other than the STCG and the MITG generally opposed the proposed change in business relationship.

GTE Midwest Incorporated d/b/a Verizon Midwest suggested that the STCG/MITG proposal is unnecessary because the telecommunications industry has adopted new standards that will facilitate resolution of the issues they seek to address with their proposed new business relationship. Verizon presented evidence from Kathryn Allison concerning Issue 2056 developed by the Ordering and Billing Forum. Ms. Allison testified, and the Commission finds, that Issue 2056, when implemented, will streamline record exchanges and provide a local and intraLATA meet-point record exchange process. It will set up a consistent meet-point (or similar) process for records exchanges for facilities-based LECs, CLECs, and wireless carriers covering access, local, and intraLATA usage. It specifies that each provider will be responsible for recording its own originating and terminating usage, allowing LECs to bill terminating usage and/or do bill validation. Issue 2056 provides that any carrier that handles a call can get records from any other carrier handling the call, and so may make it easier to track down discrepancies and identify the appropriate carrier to bill. A terminating LEC will be able to request records from all carriers back to the one originating the call to ensure that it can bill the proper carrier for termination.

The STCG and the MITG advocate a position that would not resolve the issues this case was created to address, but would instead shift the burden of addressing them to other companies. The Commission will not, as the STCG and the MITG advocate, simply

shift to an upstream carrier the responsibility for unidentified traffic and traffic for which the terminating company does not have compensation agreements. This is not to say that the Commission will not consider in the future the changed business relationship that the STCG and the MITG propose; but it is too drastic a measure to take as a first step. Implementing Issue 2056 is a reasonable step toward resolving the issues related to call records and traffic measurement. The enhanced record exchange provided for in Issue 2056 should not only reduce the number of billing discrepancies, but also should make it easier to resolve those that do arise.

On July 30, 2001, the Commission directed its Staff to file a report on the status of Issue 2056, and the likely timeline for its adoption by the industry. In response, Staff reported that implementation of Issue 2056 began on January 1, 2001, and that the proposed completion date is August 31, 2002. Staff noted that no company is required to comply with Issue 2056, but went on to state that it had contacted numerous companies and several replied that they will comply. No company replied to Staff that it did not plan to implement the guidelines in Issue 2056.

On September 7, 2001, the STCG filed a response to the Staff report. On September 10, the MITG filed a pleading stating that it concurred in the STCG's response. The STCG does not believe that Issue 2056 will resolve the issues it has raised, because it does not shift to the former PTCs the responsibility for billing for and collecting for traffic terminated to STCG members. This is correct, but as discussed above, the Commission does not believe that such a shift is warranted at this time. Issue 2056 will make it easier

for STCG members to identify traffic terminated to them, and to identify the company responsible for paying terminating access charges for that traffic.

The Commission will order the implementation of Issue 2056 and direct Staff to provide reports on the progress of implementation as well as a report on its efficacy in reducing billing discrepancies or reducing the difficulty in resolving such discrepancies. The Commission will also order Staff to begin the rulemaking process to promulgate a rule that will codify the requirement that all Missouri-regulated telecommunications companies implement Issue 2056. Having the Staff's reports filed during the rulemaking procedure will give the Commission and participants in the rulemaking the benefit of the information Staff will have gathered concerning the implementation and effectiveness of Issue 2056.

Consolidation: On October 23, 2001, the MITG filed a motion to consolidate this case with Case No. TC-2002-194. TC-2002-194 is a complaint filed by the MITG members against 28 telecommunications companies, plus at least ten other entities denominated as "Carrier John Doe." The MITG states that consolidation of this case with TC-2002-194 will allow the Commission to:

address the applicability of the former [Secondary Carrier] access tariff "wholesale" structure, visit the propriety of the actions of the former [Primary Toll Carriers] in unilaterally imposing a "transiting" structure, making [sic] CLECs and their IXC affiliates party to the determinations for traffic they originated, and making [sic] CLECs and their affiliates party to considering OBF Issue 2056.

In TC-2002-194, the MITG requested relief that is specific to the relationship between the MITG members and Southwestern Bell and Sprint Missouri, Inc.

On November 2, Staff, Verizon, and Southwestern Bell filed responses in opposition to the MITG's motion to consolidate. The joint response of Verizon and Southwestern Bell points out that there are a number of parties to this case that are not involved in and not interested in the outcome of TC-2002-194. The Staff states that MITG's motion to consolidate amounts to a motion to reopen the record in this case, but does not comply with the Commission's rules on reopening a record. Staff also notes that the subject matter of the complaint, as well as the relief sought, is different than that of this case. The MITG filed a reply to the responses on November 13.

The Commission agrees with Staff that the relief sought in the complaint case is different in kind and in scope than the outcome in this case. Furthermore, the two cases the MITG seeks to consolidate do not have common questions of law and fact, and the Commission will deny the motion to consolidate.

Intervention: In response to the additional notice sent on May 17, Green Hills Area Cellular, Inc. d/b/a Green Hills Telecommunications Services, Mark Twain Communications Company, and NuVox Communications of Missouri, Inc. requested intervention. The applications for intervention comply with the Commission's rules, and will be granted.

IT IS THEREFORE ORDERED:

1. That all telecommunications subject to the jurisdiction of the Commission shall implement Issue 2056 developed by the Ordering and Billing Forum as soon as is reasonably practicable.

2. That the Staff of the Commission shall file a report on the status of the implementation of Issue 2056 no later than May 7, 2002.

3. ~~That the Staff of the Commission shall file a report on the efficacy of Issue 2056 in reducing billing discrepancies or reducing the difficulty in resolving such discrepancies no later than August 7, 2002.~~

4. That the Staff of the Commission shall begin the rulemaking process to promulgate a rule that will codify the requirement that all Missouri-regulated telecommunications companies implement Issue 2056 developed by the Ordering and Billing Forum.

5. That the motion to consolidate filed on October 23, 2001, by the Missouri Independent Telephone Company Group is denied.

6. That Green Hills Area Cellular, Inc. d/b/a Green Hills Telecommunications Services is granted intervention.

7. That Mark Twain Communications Company is granted intervention.

8. That NuVox Communications of Missouri, Inc. is granted intervention.

9. That the Data Center of the Commission shall send notice of this order, including a copy of the order, to all telecommunications companies certificated to do business in the state of Missouri.

10. That this order shall become effective on December 23, 2001.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

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

(S E A L)

Simmons, Ch., Murray, Gaw and Forbis, CC., concur
Lumpe, C., absent

Mills, Deputy Chief Regulatory Law Judge

ALJ/Secretary: Mills/Boyer

12-12 70-99-523
Date Circulated CASE NO.

KS
Simmons, Chair

LM
Murray, Commissioner

abest
Lumpe, Commissioner

7/16
Gaw, Commissioner

SPH
Forbis, Commissioner

12-13
Agenda Date

4-0 AS
Action taken:

Must Vote Not Later Than

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 13th day of Dec. 2001.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

