

11

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of LCI International)	
Telecom Corp. d/b/a Qwest)	Case No. TT-99-554
Communications Services Tariff Filing to)	Tariff No. 9900814
Increase Directory Assistance Rates)	

ORDER SUSPENDING TARIFF

On April 20, 1999, LCI International Telecom Corporation d/b/a Qwest Communications Services (LCI) filed revisions to its P.S.C. Missouri No. 2 tariff sheet proposing to increase its Directory Assistance rates for residential customers from \$.85 per call to \$1.40 per call. The revised sheet has a proposed effective date of May 20, 1999.

A Motion to Suspend Tariff was filed by the Staff of the Missouri Public Service Commission (Staff) on May 11, 1999. Staff stated that although tariff filing No. 9900814 proposes to increase LCI's Directory Assistance rates for residential customers effective May 12, 1999, the rate increase actually went into effect on April 28, 1999, twenty-two days before the requested effective date. In addition, Staff confirmed with LCI that a customer notice was sent to customers ten days prior to April 28 which stated that the Directory Assistance rate for residential customers would be increased from \$.95 per call to \$1.40 per call subject

to State Commission approval even though the current approved tariffed rate is \$.85 per call.

Staff noted that §392.220.2, RSMo (Cum. Supp. 1998) states

no telecommunications company shall charge, demand, collect or received a different compensation for any service rendered or to be rendered than the charge applicable to such service as specified in its schedule on file and in effect at that time.

Staff recommends the filing be suspended for further consideration and analysis and that the Commission order LCI to refund any charges that were incurred in violation of §392.220.2, RSMo (Cum. Supp. 1998).

The Commission has reviewed the tariff filing and Staff's motion to suspend, and finds it is appropriate to suspend the tariff sheets for 120 days to give the Staff and the company an opportunity to address Staff's concerns. The Commission also finds that there are questions of fact and of compliance with the applicable statutes that need to be resolved before the Commission can approve the proposed tariff sheets in this case, and a hearing may be necessary to resolve these issues. The proposed tariff sheets will be suspended for a period of one hundred twenty days beyond the effective date of May 20, 1999, to September 17, 1999, or until otherwise ordered by this Commission. The Commission finds that interested parties should be given notice and an opportunity to intervene. The Commission will schedule an early prehearing conference, and set a date for the parties to offer a procedural schedule.

The Commission also finds that if Directory Assistance charges to residential customers are in excess of the current approved tariffed

rate of \$.85 per call, then those rates collected in violation of §392.220.2, RSMo (Cum. Supp. 1998), are subject to refund. LCI shall refrain from billing or collecting for any amount which exceeds the current tariffed rates for any service provided under its tariff. If LCI disputes the allegations or no funds in excess of the current tariff rates have been collected, LCI shall file a pleading setting forth the relevant facts no later than the date it is required to file its direct testimony.

IT IS THEREFORE ORDERED:

1. That the effective date of the tariff sheets, submitted on April 20, 1999, by LCI International Telecom Corporation d/b/a Qwest Communications Services, is suspended for 120 days to September 17, 1999, or until otherwise ordered by this Commission:

P.S.C. Mo.-No. 2, Section 4

3rd Revised Sheet No. 3, Canceling 2nd Revised Sheet No. 3

2. That the Records Department of the Missouri Public Service Commission is directed to give notice to each certificated telecommunications carrier in the state of Missouri.

3. That proper parties wishing to intervene shall file an application to intervene no later than June 17, 1999, with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and a copy of the application to intervene shall be served on:

LCI International Telecom Corporation
Worldwide Telecommunications
4250 N. Fairfax Drive
Arlington, VA 22203

and to:

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

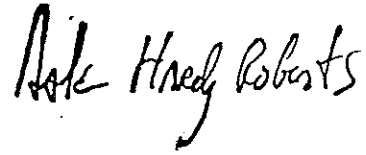
4. That the Commission will conduct an early prehearing conference on June 30, 1999, at 10:00 a.m., in the Commission's offices on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

5. That anyone wishing to attend the prehearing conference who has special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the prehearing or hearing at one of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

6. That the parties shall file a proposed procedural schedule no later than June 25, 1999.

7. That this order shall become effective on May 19, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly A. Register, 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 18th day of May, 1999.