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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 8th  
day of April, 1999.

In the Matter of the Application of Central     )  
Missouri Telecommunications, Inc., for a     )  
Certificate of Service Authority to Provide     )  
Basic Local Exchange Telecommunications     ) Case No. TA-99-317  
Services and Local Exchange Telecommunica-     )  
tions Services in the State of Missouri and     )  
to Classify said Services as Competitive.     )

ORDER GRANTING CERTIFICATES TO PROVIDE  
BASIC LOCAL AND LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICES

Procedural History

On January 27, 1999, Central Missouri Telecommunications, Inc. (CMT), a Delaware corporation authorized to transact business in Missouri, filed its application with the Commission seeking authority to provide resold and facilities-based basic local exchange telecommunications services and local exchange telecommunications services throughout the exchanges served by Southwestern Bell Telephone Company (SWBT) and Sprint Missouri, Inc., doing business as Sprint (Sprint). The Commission issued a notice and schedule of applicants on February 2, 1999, directing interested parties wishing to intervene to do so by March 4. On February 3, 1999, SWBT filed an application to intervene, which the Commission granted on February 9, 1999.

The parties filed a Stipulation and Agreement (Agreement) which is included with this order as Attachment 1 on March 26, 1999. CMT supplemented the Agreement on March 29, 1999, with a letter of correction (Attachment 2). Also on March 29, the Staff of the Commission (Staff) filed Suggestions in Support of the Agreement. In the Agreement, the parties waived their rights to present testimony, cross-examine witnesses, present oral argument or briefs, and to seek rehearing or judicial review. 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 in this case, the Commission may grant the relief requested based on the verified application.

### Discussion

CMT wishes certification to provide basic local exchange and local exchange telecommunications services in portions of Missouri that are currently served by SWBT and Sprint. CMT is not asking for certification in any area that is served by a small incumbent local exchange provider. CMT proposes to operate in all of the exchanges described in Exhibit B to its application. CMT is requesting that its local and basic local services be classified as competitive and that the application of certain statutes and regulations be waived.

### **A. Requirements of 4 CSR 240-2.060(4)**

Commission rule 4 CSR 240-2.060(4) requires a foreign corporation applying for certification to provide telecommunications services to include in its application a certificate from the Secretary of State showing it is authorized to do business in Missouri, a description of the types of service it intends to provide, a description of the exchanges where it will offer service, and a proposed tariff with a 45-day effective date. CMT has provided all the required documentation except for the proposed tariff.

The company has requested a temporary waiver of 4 CSR 240-2.060(4)(H) until it has entered into interconnection agreements with the underlying local exchange carriers and those agreements have been approved by the Commission. The company has agreed to submit to the Commission for approval a proposed tariff with a minimum 45-day effective date once it is party to the appropriate interconnection agreements. CMT will file the tariff in this case and give notice of the tariff filing to all the parties. Along with that filing, CMT has agreed to provide a written disclosure of all interconnection agreements it has entered into which affect its Missouri service areas.

### **B. Basic Local Service Certification**

Section 392.455, RSMo Supp. 1998, sets out the requirements for granting certificates to provide basic local telecommunications service to new entrants. A new entrant must: (1) possess sufficient technical, financial and managerial resources and abilities to provide basic local

telecommunications service; (2) demonstrate that the services it proposes to offer satisfy the minimum standards established by the Commission; (3) set forth the geographic area in which it proposes to offer service and demonstrate that the area follows exchange boundaries of the incumbent local exchange telecommunications company and is no smaller than an exchange; and (4) offer basic local telecommunications service as a separate and distinct service. In addition, the Commission must give due consideration to equitable access for all Missourians to affordable telecommunications services, regardless of where they live or their income.

CMT submitted as Exhibit D to its application financial documentation detailing its financial resources. Exhibit C to the application lists the names and qualifications of CMT's management team. In addition to academic credentials, the team members have experience in various areas of the telecommunications industry including marketing, sales and sales management, legal issues, and product development. The parties agree that CMT possesses sufficient technical, financial and managerial resources and abilities to provide basic local telecommunications service.

CMT has agreed to provide services that will meet the minimum basic local service standards required by the Commission, including quality of service and billing standards. The parties agree that CMT proposes to offer basic local services that satisfy the minimum standards established by the Commission.

CMT wishes to be certificated to offer services in certain exchanges presently served by SWBT and Sprint as described in their basic local tariffs (see Exhibit B to the application). The parties agree that CMT has sufficiently identified the geographic area in which it proposes to offer basic local service and that the area follows ILEC exchange boundaries and is no smaller than an exchange.

CMT has agreed to offer basic local telecommunications service as a separate and distinct service and to provide equitable access, as determined by the Commission, for all Missourians within the geographic area in which it will offer basic local services in compliance with Section 392.455(5), RSMo Supp. 1998.

### **C. Local Service Certification**

CMT also seeks certification to provide local exchange telecommunications services, including dedicated private line and switched exchange access services. The parties have agreed that CMT possesses sufficient resources to provide local exchange service and that a certificate of service authority for local exchange telecommunication service should be granted.

### **D. Competitive Classification**

The Commission may classify a telecommunications provider as a competitive company if the Commission determines it is subject to sufficient competition to justify a lesser degree of regulation. Section 392.361.2. In making that determination, the Commission may consider such factors as market share, financial resources and name

recognition, among others. In the Matter of the Investigation for the Purpose of Determining the Classification of the Services Provided by Interexchange Telecommunications Companies Within the State of Missouri, 30 Mo. P.S.C. (N.S.) 16 (1989); In the Matter of Southwestern Bell Telephone Company's Application for Classification of Certain Services as Transitionally Competitive, 1 Mo. P.S.C. 3d 479, 484 (1992). In addition, all the services a competitive company provides must be classified as competitive. Section 392.361.3. The Commission has found that whether a service is competitive is a subject for case-by-case examination and that different criteria may be given greater weight depending upon the service being considered. *Supra*, 1 Mo. P.S.C. 3rd at 487.

The parties agree that CMT should be classified as a competitive telecommunications company. The parties also agree that CMT's switched exchange access services may be classified as a competitive service, conditioned upon certain limitations on CMT's ability to charge for its access services. CMT has agreed that, unless otherwise ordered by the Commission, its originating and terminating access rates will be no greater than the lowest Commission-approved corresponding access rates in effect at the date of certification for the large incumbent LECs within those service areas in which CMT seeks to operate. The parties agree that the grant of service authority and competitive classification to CMT should be expressly conditioned on the continued applicability of Section 392.200, RSMo Supp. 1998, and on the requirement that any increases in switched access services rates above the maximum switched

access service rates set forth in the agreement must be cost-justified pursuant to Sections 392.220, RSMo Supp. 1998, and 392.230, rather than Sections 392.500 and 392.510.

The parties agree that waiver of the following statutes is appropriate: Sections 392.210.2, 392.270, 392.280, 392.290.1, 392.300.2, 392.310, 392.320, 392.330, RSMo Supp. 1998, and 392.340. The parties also agree that application of these Commission rules could be waived: 4 CSR 240-10.020, 4 CSR 240-30.040, and 4 CSR 240-35.

### **Findings of Fact**

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

- A. The Commission finds that competition in the basic local exchange telecommunications market is in the public interest.
- B. The Commission finds that CMT has met the requirements of 4 CSR 240-2.060(4) for applicants for certificates of service authority to provide telecommunications services with the exception of the filing of a tariff with a 45-day effective date.
- C. The Commission finds that CMT has demonstrated good cause to support a temporary waiver of the tariff filing requirement and the waiver shall be granted.

- D. The Commission finds that CMT meets the statutory requirements for provision of basic local telecommunications services and has agreed to abide by those requirements in the future. The Commission determines that granting CMT certificates of service authority to provide basic local exchange telecommunications services and local exchange telecommunications services is in the public interest. CMT's certificates shall become effective when its tariff becomes effective.
- E. The Commission finds that CMT is a competitive company and should be granted waiver of the statutes and rules set out in the ordered paragraph below.
- F. The Commission finds that CMT's certification and competitive status should be expressly conditioned upon the continued applicability of Section 392.200, RSMo Supp. 1998, and on the requirement that any increases in switched access services rates above the maximum switched access service rates set forth in the agreement must be cost-justified pursuant to Sections 392.220, RSMo Supp. 1998, and 392.230, rather than Sections 392.500 and 392.510.

### **Conclusions of Law**

The Missouri Public Service Commission has reached the following conclusions of law:



The Commission has the authority to grant certificates of service authority to provide telecommunications service within the state of Missouri. CMT has requested certification under Sections 392.420 - .440, and Sections 392.410 and .450, RSMo Supp. 1998, which permit the Commission to grant a certificate of service authority where it is in the public interest. Sections 392.361 and .420 authorize the Commission to modify or suspend the application of its rules and certain statutory provisions for companies classified as competitive or transitionally competitive.

The federal Telecommunications Act of 1996 and Section 392.455, RSMo Supp. 1998, were designed to institute competition in the basic local exchange telecommunications market in order to benefit all telecommunications consumers. See Section 392.185, RSMo Supp. 1998.

The Commission has the legal authority to accept a Stipulation and Agreement as offered by the parties as a resolution of the issues raised in this case, pursuant to Section 536.060, RSMo Supp. 1998. Based upon the Commission's review of the applicable law and Stipulation and Agreement of the parties, and upon its findings of fact, the Commission concludes that the Stipulation and Agreement should be approved.

**IT IS THEREFORE ORDERED:**

1. That the Stipulation and Agreement of the parties, filed on March 26, 1999, is approved as corrected by the letter of March 29, 1999.

2. That Central Missouri Telecommunications, Inc. is granted certificates of service authority to provide basic local exchange telecommunications services and local exchange telecommunications

services in the state of Missouri, subject to the conditions of certification set out above and to all applicable statutes and Commission rules except as specified in this order. The certificates of service authority shall become effective when the company's tariff becomes effective.

3. That Central Missouri Telecommunications, Inc. is classified as a competitive telecommunications company. Application of the following statutes and regulations shall be waived:

Statutes

- 392.210.2 - uniform system of accounts
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290.1 - issuance of securities
- 392.300.2 - acquisition of stock
- 392.310 - stock and debt issuance
- 392.320 - stock dividend payment
- 392.340 - reorganization(s)
- 392.330, RSMo Supp. 1998 - issuance of securities,  
debts and notes

Commission Rules

- 4 CSR 240-10.020 - depreciation fund income
- 4 CSR 240-30.040 - uniform system of accounts
- 4 CSR 240-35 - reporting of bypass and  
customer-specific arrangements

4. That the request for waiver of the filing requirements of 4 CSR 240-2.060(4)(H), which requires the filing of a 45-day tariff, is granted.

5. That Central Missouri Telecommunications, Inc. shall file tariff sheets with a minimum 45-day effective date reflecting the rates, rules, regulations and the services it will offer within 30 days after the effective date of a Commission order approving an interconnection

agreement which will allow CMT to provide services. The tariff shall be filed in Case No. TA-99-317 and shall include a listing of the statutes and Commission rules waived above.

6. That Central Missouri Telecommunications, Inc. shall give notice of the filing of the tariffs described above to all parties or participants. In addition, Central Missouri Telecommunications, Inc. shall file a written disclosure of all interconnection agreements which affect its Missouri service areas, all portions of Missouri service areas for which it does not have an interconnection agreement, and an explanation of why no interconnection agreement is necessary for those areas.

7. That Central Missouri Telecommunications, Inc.'s certification and competitive status are expressly conditioned upon the continued applicability of Section 392.200, RSMo Supp. 1998, and on the requirement that any increases in switched access service rates above the maximum switched access service rates set forth in the agreement must be cost-justified pursuant to Sections 392.220, RSMo Supp. 1998, and 392.230, rather than Sections 392.500 and 392.510.

8. That this order shall become effective on April 20, 1999.

BY THE COMMISSION

( S E A L )

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

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

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

Thompson, Deputy Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

FILED

MAR 26 1999

Missouri Public  
Service Commission

In the matter of the Application of )  
Central Missouri Telecommunications, Inc. )  
for a Certificate of Service Authority to Provide )  
Basic Local Exchange Telecommunications ) Case No. TA-99-317  
Services and Local Exchange Telecommunications )  
Services in the State of Missouri and for )  
Competitive Classification )

STIPULATION AND AGREEMENT

Central Missouri Telecommunications, Inc. (Applicant or CMT) initiated this proceeding on January 27, 1999, by filing an Application requesting certificate of service authority to provide facilities-based and resold basic local telecommunications services and local exchange telecommunications services portions of Missouri that are currently served by Southwestern Bell Telephone Company (SWBT) and Sprint Missouri, Inc., d/b/a Sprint (Sprint), and other relief.

The Missouri Public Service Commission (Commission) has granted the timely application to intervene of Southwestern Bell Telephone Company (SWBT).

A. Standards and Criteria

1. For purposes of this Stipulation and Agreement, the parties agree that applications for local exchange and basic local exchange service authority in exchanges served by "large" local exchange companies (LECs)<sup>1</sup> should be processed in a manner similar to that in which applications for interexchange authority are currently handled.

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<sup>1</sup>Large LECs are defined as LECs who serve 100,000 or more access lines §386.020 RSMo. Supp. 1996. In Missouri, the current large LECs are SWBT, GTE and Sprint.

2. In determining whether CMT's application for certificate of service authority should be granted, the Commission should consider CMT's technical, financial and managerial resources and abilities to provide basic local telecommunications service. CMT must demonstrate that the basic local services it proposes to offer satisfy the minimum standards established by the Commission, including but not limited to the filing and maintenance of basic local service tariffs with the Commission in the same manner and form as the Commission requires of incumbent local exchange telecommunications companies (ILECs) with which applicant seeks to compete. Further, CMT agrees to meet the minimum basic local service standards, including quality of service and billing standards, as the Commission requires of the ILECs with which applicant seeks to compete. Notwithstanding the provisions of §392.500 RSMo (1994), as a condition of certification and competitive classification, CMT agrees that, unless otherwise ordered by the Commission, CMT's originating and terminating access rates will be no greater than the lowest Commission approved corresponding access rates in effect at the date of certification for the large ILEC(s) within whose service areas CMT seeks authority to provide service.<sup>2</sup> Further, CMT agrees to offer basic local telecommunications service as a separate and distinct service and has sufficiently identified the geographic service area in which it proposes to offer basic local service. Such area follows exchange boundaries of the ILECs in the same area and is no smaller than an exchange. Finally, CMT agrees to provide equitable access to affordable telecommunications services, as determined by the Commission, for all Missourians within the geographic area in which it proposes to offer basic local service, regardless of residence or income. See §392.455 RSMo Supp. 1996.

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<sup>2</sup>In this case the relevant access rates are those of Southwestern Bell.

3. CMT has submitted its application without tariffs and seeks a temporary waiver of 4 CSR 240-2.060(4)(H). CMT agrees to file its initial tariffs in this certification docket and serve all parties thereto with written notice at the time the initial tariffs are submitted to afford them an opportunity to participate in the tariff approval process. Copies of the tariffs will be provided by Applicant to such parties immediately upon request. Any service authority shall be regarded as conditional and shall not be exercised until such time as tariffs for services have become effective. When filing its initial basic local tariff, CMT shall also file and serve a written disclosure of all resale and/or interconnection agreements which affect its Missouri service areas, all portions of its Missouri service areas for which it does not have a resale and/or interconnection agreement with the incumbent local exchange carrier, and its explanation of why such a resale and/or interconnection agreement is unnecessary for such areas.

4. CMT has, pursuant to §392.420 RSMo, requested that the Commission waive the application of the following statutory provisions and rules to its basic local telecommunications services, and the parties agree that the Commission should grant such request provided that §392.200 RSMo should continue to apply to all of CMT's services:

STATUTORY PROVISIONS

§392.210.2  
§392.270  
§392.280  
§392.290.1  
§392.300.2  
§392.310  
§392.320  
§392.330  
§392.340

COMMISSION RULES

4 CSR 240-10.020  
4 CSR 240-30.040  
4 CSR 240-35

5. In negotiating the remaining provisions of this Stipulation and Agreement, the parties employed the foregoing standards and criteria, which are intended to meet the requirements of existing law and §§392.450 and 392.455 RSMo regarding applications for certificates of local exchange service authority to provide basic local telecommunications service

B. CMT Certification

6. CMT hereby agrees that its application should be deemed amended to include by reference the terms and provisions described in paragraphs 2-4 above.

7. Based upon its verified Application, CMT asserts, and no party makes a contrary assertion, that there is sufficient evidence from which the Commission can find and conclude that CMT:

- A. possesses sufficient technical, financial and managerial resources and abilities to provide basic local telecommunications service and local exchange telecommunications service, including exchange access service;
- B. proposes and agrees to offer basic local services that satisfy the minimum standards established by the Commission;
- C. has sufficiently identified the geographic area in which it proposes to offer basic local service and such area follows exchange boundaries of the incumbent local exchange telecommunications companies in the same areas, and such area is no smaller than an exchange;
- D. will offer basic local telecommunications service as a separate and distinct service;
- E. has agreed to provide equitable access to affordable telecommunications services, as determined by the Commission, for all Missourians within the geographic area in which it proposes to offer basic local service, regardless of where they live or their income; and
- F. has sought authority which will serve the public interest.



7. CMT asserts, and no party opposes, that CMT's application and request for authority to provide basic local telecommunications services and local exchange telecommunications services (including exchange access service) should be granted. All services authorized herein should be classified as competitive telecommunications services provided that the requirements of §392.200 continue to apply, and CMT shall remain classified as a competitive telecommunications company. CMT asserts, and no party opposes, that such services will be subject to sufficient competition by the services of the ILECs to justify a lesser degree of regulation of CMT's services consistent with the protection of ratepayers and the promotion of the public interest. Such classification should become effective upon the tariffs for the services becoming effective. Such authority should be conditional, not to be exercised until such time as tariffs for those services have been filed (together with the written disclosure as stipulated above) and have become effective. The Commission's Order should state the foregoing conditions substantially as follows:

The service authority and service classification herein granted are subject to the requirements of §392.200 and are conditional and shall not be exercised until such time as tariffs for services have become effective.

The parties agree that CMT's switched exchange access services may be classified as competitive services. The parties further agree that Applicant's switched exchange access services are subject to §392.200. Any increases in switched access service rates above the maximum switched access service rates as set forth in paragraph 2 herein shall be cost-justified and be made pursuant to §§392.220 and 392.230 and not §§392.500 and 392.510. The Commission's Order should state the foregoing conditions substantially as follows:

The service authority and service classification for switched exchange access granted herein is expressly conditioned on the continued applicability of §392.200 and the requirement that any increases in switched access service rates above the maximum

switched access service rates set forth herein shall be cost-justified and pursuant to §392.220 and 392.230 and not §392.500 and 392.510.

8. CMT's request for a temporary waiver of 4 CSR 240-2.060(4)(H), which requires applications to include a proposed tariff with a 45-day effective date, is not opposed by the parties and should be granted because CMT does not yet have approved resale and/or interconnection agreements with the large ILECs. CMT agrees that at such time as all facts necessary for the development of tariffs become known, it will submit tariffs in this docket, with a minimum 30-day proposed effective date, to the Commission for its approval, together with the written disclosure as stipulated above. CMT shall serve notice to all parties and participants in this docket of the filing of its tariffs at the time they are filed with the Commission and serve them with the aforesaid written disclosure and shall upon request immediately provide any party with a copy of those tariffs. The Commission's Order should state these obligations as conditions to the waiver of 4 CSR 240-2.060(4)(H), substantially as follows:

Applicant's request for temporary waiver of 4 CSR 240-2.060(4)(H) is hereby granted for good cause in that applicant does not yet have approved any resale and/or interconnection agreement with the incumbent local exchange carrier within whose service areas it seeks authority to provide service; provided, when applicant submits its tariffs in this docket to the Commission, such tariffs shall have a minimum of a 30-day effective date and the applicant shall serve written notice upon the parties hereto of such submittal, and shall provide copies of such tariffs to such parties immediately upon request. When filing its initial basic local tariff in this docket, the applicant shall also file and serve upon the parties hereto a written disclosure of: all resale and/or interconnection agreements which affect its Missouri service areas; all portions of its Missouri service areas for which it does not have a resale and/or interconnection agreement with the incumbent local exchange carrier; and its explanation of why such a resale and/or interconnection agreement is unnecessary for any such areas.

9. CMT's request for waiver of the application of the following rules and statutory provisions as they relate to the regulation of CMT's services should be granted:

## STATUTORY PROVISIONS

§392.210.2  
§392.270  
§392.280  
§392.290.1  
§392.300.2  
§392.310  
§392.320  
§392.330  
§392.340

## COMMISSION RULES

4 CSR 240-10.020  
4 CSR 240-30.040  
4 CSR 240-35

10. This Stipulation and Agreement has resulted from extensive negotiations among the signatories and the terms hereof are interdependent. In the event the Commission does not adopt this Stipulation in total, then this Stipulation and Agreement shall be void and no signatory shall be bound by any of the agreements or provisions hereof. The Stipulations herein are specific to the resolution of this proceeding and are made without prejudice to the rights of the signatories to take other positions in other proceedings.

11. In the event the Commission accepts the specific terms of this Stipulation and Agreement, the parties and participants waive, with respect to the issues resolved herein: their respective rights pursuant to §536.070(2) and §536.080.1 RSMo 1994, to present testimony, to cross examine witnesses, and to present oral argument or written briefs; their respective rights to the reading of the transcript by the Commission pursuant to §536.080.2 RSMo 1994; and their respective rights to seek rehearing pursuant to §386.500 RSMo 1994 and to seek judicial review pursuant to §386.510 RSMo 1994. The parties agree to cooperate with the Applicant and with each other in presenting this Stipulation and Agreement for approval to the Commission and shall take no action, direct or indirect, in opposition to the request for approval of the CMT application made herein.

12. The Staff may submit a Staff Recommendation concerning matters not addressed in this Stipulation. In addition, if requested by the Commission, the Staff shall have the right to submit to the Commission a memorandum explaining its rationale for entering into this Stipulation and Agreement. Each party of record and participant herein shall be served with a copy of any memorandum and shall be entitled to submit to the Commission, within five (5) days of receipt of Staff's memorandum, a responsive memorandum which shall also be served on all parties and participants. All memoranda submitted by the parties shall be considered privileged in the same manner as settlement discussions under the Commission's rules, shall be maintained on a confidential basis by all parties and participants, and shall not become a part of the record of this proceeding or bind or prejudice the party submitting such memorandum in any future proceeding or in this proceeding whether or not the Commission approves this Stipulation and Agreement. The contents of any memorandum provided by any party are its own and are not acquiesced in or otherwise adopted by the other signatories to the Stipulation and Agreement, whether or not the Commission approves and adopts this Stipulation and Agreement.

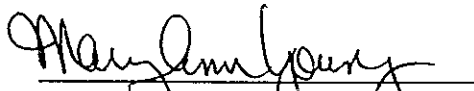
The Staff shall also have the right to provide, at any agenda meeting at which this Stipulation and Agreement is noticed to be considered by the Commission, whatever oral explanation the Commission requests, provided that the Staff shall, to the extent reasonably practicable, provide the other parties and participants with advance notice of when the Staff shall respond to the Commission's request for such explanation once such explanation is requested from Staff. Staff's oral explanation shall be subject to public disclosure.

13. The Office of Public Counsel, while not a signatory to this Stipulation and Agreement, has been contacted with regard to its filing and has offered no objection.

14. Finally, CMT will comply with all applicable Commission rules and regulations except those which are specifically waived by the Commission.

WHEREFORE, the signatories respectfully request the Commission to issue its Order approving the terms of this Stipulation and Agreement and issue its Order granting authority and classification as requested by CMT, subject to the conditions described above, at its earliest convenience.


Respectfully submitted,

  
Mary Ann (Garr) Young #27951

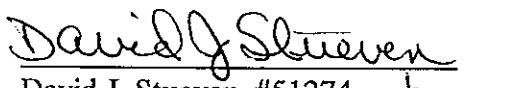
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March 29, 1999

FILED

MAR 29 1999

Missouri Public  
Service Commission

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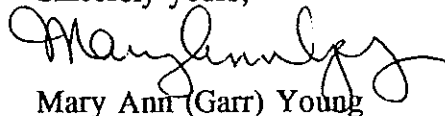
RE: Case No. TA-99-317, Central Missouri Telecommunications, Inc. to Provide Basic  
Local Exchange and Local Exchange Service

Dear Mr. Roberts:

This letter is to advise of an error in the Stipulation and Agreement which I filed in this case on Friday, March 26, 1999, and an error in the cover letter of the filing. The cover letter bore a date of March 5, 1998, rather than March 26, 1999. On page 6 of the Stipulation and Agreement, paragraph 8 contains inconsistent terms for the tariffs to be filed in this docket. The first reference, in the second line of paragraph 8, correctly states that the tariff will bear a 45-day effective date, consistent with the Commission's practice. However, the fifth line of the paragraph and the fifth line of the indented proposed language for the Commission's order erroneously reference a 30-day effective date. Counsel for Staff and Southwestern Bell concur in pointing out this inconsistency to the Commission. All parties agree that Central Missouri Telecommunications, Inc., should be ordered to file its tariff with a 45-day effective date.

Fourteen copies of this letter are provided for distribution within the Commission, and a copy is being provided to Regulatory Law Judge Thompson to advise him of this filing. I apologize for any inconvenience or confusion that these errors may have caused, and request the errors be rectified as desired by the Commission. Thank you for your assistance in processing this corrected information. Copies are being served on parties of record. If there are any questions, please call me at 634-8109.

Sincerely yours,

  
Mary Ann (Garr) Young

RECEIVED

APR 03 1999

cc: Office of Public Counsel  
RJL Kevin Thompson  
Katherine Swaller  
PUBLIC SERVICE COMMISSION

William Wilhelm/Michael Donohue  
Jay Teutenberg  
David Stueven