

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
October 5, 1999**

CASE NO: TT-99-428, TT-99-429, TT-99-430, TT-99-431, TT-99-432, & TT-99-433

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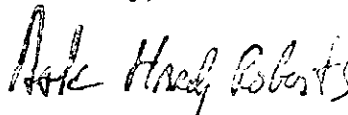
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its
office in Jefferson City on
the 5th day of October,
1999.

In the Matter of Alma Telephone)	
Company's Filing to Revise its Access	)	Case No. TT-99-428
Service Tariff, P.S.C. Mo. No. 2.	)	Tariff No. 9900658
In the Matter of MoKan Dial, Inc.'s)	
Filing to Revise its Access Service	)	Case No. TT-99-429
Tariff, P.S.C. Mo. No. 2.	)	Tariff No. 9900656
In the Matter of Mid-Missouri Telephone)	
Company's Filing to Revise its Access	)	Case No. TT-99-430
Service Tariff, P.S.C. Mo. No. 2.	)	Tariff No. 9900712
In the Matter of Choctaw Telephone)	
Company's Filing to Revise its Access	)	Case No. TT-99-431
Service Tariff, P.S.C. Mo. No. 1	)	Tariff No. 9900667
In the Matter of Chariton Valley)	
Telephone Company's Filing to Revise	)	Case No. TT-99-432
its Access Service Tariff, P.S.C. Mo.	)	Tariff No. 9900657
No. 2.)	
In the Matter of Peace Valley)	
Telephone Company's Filing to	)	Case No. TT-99-433
Revise its Access Service Tariff,	)	Tariff No. 9900655
P.S.C. Mo. No. 2.)	

(Consolidated)

ORDER GRANTING IN PART AND DENYING IN PART MOTION TO COMPEL

On September 15, 1999, Alma Telephone Company, MoKan Dial, Inc., Mid-Missouri Telephone Company, Choctaw Telephone Company, Chariton Valley Telephone Company, and Peace Valley Telephone Company

(collectively, Alma)¹, filed motions to compel data request (DR) responses from Southwestern Bell Telephone Company (SWBT) and AT&T Wireless (AWS).

On September 24, 1999, SWBT filed a response to Alma's motion to compel in which it stated that it believed it provided information that satisfied Alma. On September 27, 1999, Alma submitted a letter that stated that SWBT's response was satisfactory, and that it was withdrawing its motion to compel SWBT to respond to its DRs. The Commission will acknowledge Alma's withdrawal of its motion.

For its motion to compel AWS, Alma states that over twenty (20) days have elapsed from the date of service of the DRs and, as of the date of Alma's motion to compel, Alma had received neither answers nor objections. Alma stated that AWS applied for and was allowed to intervene as a party and has an obligation to produce the data requested. Alma stated that the DRs requested data which is relevant, pertinent, and material to the issues in this case. Alma requests that the Commission order AWS to provide answers no later than September 30, 1999, which will allow incorporation of the responses into the surrebuttal testimony due from Alma on October 4, 1999.

¹ Although the pleading indicates it was filed on behalf of the "Mid-Missouri Group," and the DRs were propounded by the "Mid-Missouri Group," the Commission notes that no such group is a party to these cases. The companies whose proposed tariffs are the subject of these cases do sometimes intervene as a part of the "Mid-Missouri Group," but did not do so in these cases. The Commission will treat the DRs and the motion to compel as though they were submitted by Alma Telephone Company, MoKan Dial, Inc., Mid-Missouri Telephone Company, Choctaw Telephone Company, Chariton Valley Telephone Company, and Peace Valley Telephone Company.

On September 27, 1999, AWS filed a response to Alma's motion to compel. AWS stated that it did in fact object to the DRs in question by letter dated August 9, 1999². In the letter objecting to the DRs, AWS asserts that they are overly broad and burdensome. In the pleading, it adds that the data requested is not routinely maintained and that it would require substantial resources to gather it.

The DRs at issue request information about traffic that AWS handles that is terminated to thirty-seven small Local Exchange Companies (LECs). Since these consolidated cases deal with the tariffs of only six of these thirty-seven LECs, the DRs are overly broad. Furthermore, the DRs ask for detail on this traffic for a period of eight and a half years. Such a long period seems to be overly broad. However, the Commission will grant Alma's motion to compel AWS to respond to the extent that the answers to the DRs cover the last three years and that they are narrowed to the six LECs in this case. The Commission will otherwise deny Alma's motion to compel AWS to respond.

IT IS THEREFORE ORDERED:

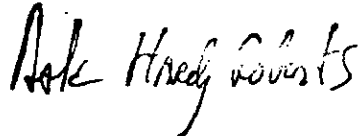
1. That the motion to compel responses from AT&T Wireless filed by Alma Telephone Company, MoKan Dial, Inc., Mid-Missouri Telephone Company, Choctaw Telephone Company, Chariton Valley Telephone Company, and Peace Valley Telephone Company on September 15, 1999, is granted in part and denied in part as set forth above.

² AWS attached a copy of the letter to its pleading. The first page of the letter is dated August 9, 1999, but the second page bearing the signature is dated May 14, 1999.

2. That the withdrawal of the motion to compel responses from Southwestern Bell Telephone Company filed by Alma Telephone Company, MoKan Dial, Inc., Mid-Missouri Telephone Company, Choctaw Telephone Company, Chariton Valley Telephone Company, and Peace Valley Telephone Company on September 15, 1999, is acknowledged.

3. That this order shall become effective on October 15, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Hopkins, Senior Regulatory Law Judge

for vote 10/5
ALJ/Sec'y: Hopkins/Boyce

9-28 Date Circulated
10-1 Return by 3 p.m.
10 9 1 7

TT-99-428 thru 433
CASE NO.

Lumpke, Chair
Crisp, Commissioner
Murray, Commissioner
Schemenauer, Commissioner
Drainer, Vice-Chair

3-0 A A

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 05^h day of October, 1999.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

