**STATE OF MISSOURI**
**PUBLIC SERVICE COMMISSION**
**JEFFERSON CITY**
**August 31, 2000**

**CASE NO: TT-2001-117**

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

**Sincerely,**

Dale Hardy Roberts

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

**STATE OF MISSOURI**
**PUBLIC SERVICE COMMISSION**

At a Session of the Public Service Commission held at its office in Jefferson City on the 31st day of August, 2000.

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|---|---|---|
| In the Matter of the Access Tariff Filing of Ozark Telephone Company | ) ) | **Case No. TT-2001-117** Tariff File No. 200100203 |

# ORDER REJECTING TARIFFS AND DENYING MOTION FOR PROTECTIVE ORDER

On August 23, 2000, Ozark Telephone Company (the Company) submitted to the Commission a tariff sheet designed to make permanent the interim revenue surcharge that it implemented pursuant to Reports and Orders issued in Case Nos. TO-99-509 and TO-99-254. The Company did not file a general rate case as required by those Reports and Orders and requested waiver of the filing requirements of a rate case. The Company, in the testimony filed in support of its tariff, acknowledged that its filing is not a general rate case. The purpose of requiring the Company to file a general rate case within a specific time was to ensure that the Company's customers do not get overcharged as a result of the rate increase (implemented by the revenue neutrality surcharge) allowed in Case Nos. TO-99-509 and TO-99-254. Whether the Company's rates should be continued at the current level can only be determined by an examination of all relevant factors in a general rate case.

It is difficult to imagine how the Commission could have made the requirement to file a general rate case more clear. The Commission deliberately used the phrase "general rate case" in both Case Nos. TO-99-509 and TO-99-254 because that phrase has a specific, commonly understood

meaning. The Company's filing is not a general rate case and does not comply with the Reports and Orders issued in Case Nos. TO-99-509 and TO-99-254. The Company's tariff filing will be rejected.

The Company also requested that the Commission issue its standard protective order. The Company stated that some of the information it intended to file in support of its tariff filing is proprietary and some may be highly confidential. Because the Commission is rejecting the tariff filing, the filing of supporting information is unnecessary, and the request for a protective order will be denied.

**IT IS THEREFORE ORDERED:**

1. That the proposed tariff sheet submitted on August 23, 2000, by Ozark Telephone Company, and assigned Tariff No. 200100203, and subsequently docketed as Case No. TT-2001-117, is rejected.

2. That the motion for protective order filed on August 23, 2000, by Ozark Telephone Company is denied.

3. That this order shall become effective on September 12, 2000.

4. That this case may be closed on September 13, 2000.

**BY THE COMMISSION**

Dale Hardy Roberts

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

(S E A L)

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

Mills, Deputy Chief Regulatory Law Judge

ALJ/Sec'y: Mills/Boyce

Date Circulated: 8-24

CASE NO.: TT-2001-117

Lumpe, Chair

Drainer, Vice Chair

Murray, Commissioner

Schemenauer, Commissioner

Simmons, Commissioner

Agenda Date: 8-31

Action taken: SOAS

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 31st day of August 2000.**

Dale Hardy Roberts

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