

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
October 30, 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
Secretary/Chief Regulatory Law Judge**

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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

ORDER REGARDING MOTION TO COMPEL

On October 25, 2000, the Staff of the Commission filed a motion to have the Commission compel Ozark Telephone Company (Ozark) to answer certain data requests¹ (DRs). Staff stated that it has complied with the Commission's rules regarding discovery disputes, and has been unable to reach a resolution of the dispute. Staff stated that Ozark committed to answering many of these DRs in 40 days, rather than the default 20 days specified in the Commission's rules. Staff stated that Ozark objected to DR numbers 22, 34, 35, 36, 39, 42, and 48 on the grounds that these DRs seek information for years prior to 1999.

Ozark's objection to these DRs on the ground that they seek information from periods earlier than 1999 is not well founded. In order to determine whether test year expenses are normal, some examination of historical data is needed. The DRs to which Ozark objects are not overbroad, burdensome or irrelevant, and Ozark will be ordered to answer them.

A 40-day period to answer DRs is simply too long in light of the 150-day period in which this case must be decided. Ozark will be ordered

¹ All of the 52 DRs served by Staff are in dispute. They are DR numbers 1 through 50, 3801, and 3802.

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to answer all the disputed DRs immediately, and to comply with the 20-day period set out in 4 CSR 240-2.090(2) for all other DRs.

IT IS THEREFORE ORDERED:

1. That the motion to compel filed by the Staff of the Commission on October 23, 2000, is granted.

2. That Ozark Telephone Company shall answer DR numbers 1 through 50, 3801, and 3802 as soon as possible, but in no event later than November 3, 2000.

3. That Ozark Telephone Company shall comply with the 20-day period set out in 4 CSR 240-2.090(2) for all other data requests.

4. That this order shall become effective on November 3, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lewis Mills, Deputy Chief Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 30th day of October, 2000.

FYI: To Be Issued By Delegate)

AL/Sec'y: Mills / Boyce

10-26
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[Signature]
Lumpke, Chair

[Signature]
Drainer, Vice Chair

[Signature]
Murray, Commissioner

[Signature]
Schemenauer, Commissioner

[Signature]
Simmons, Commissioner

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 30th day of Oct. 2000.

[Signature: Dale Hardy Roberts]

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

