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September 8, 1988

Mr. Harvey G. Hubbs
Secretary
Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Re: Case No. TA-88-218, et al.

Dear Mr. Hubbs:

Enclosed please find Response of International Telecharge, Inc. to Public Counsel's Motion to Strike for filing in the above referenced matter.

Thank you.

Very truly yours,

HENDREN AND ANDRAE


Richard S. Brownlee, III

RSB/k
Enclosures
cc: All Counsel of Record

FILED

SEP 9 1988

PUBLIC SERVICE COMMISSION

AD

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

In the matter of the)
application of American Operator)
Services, Inc. for a certificate)
of service authority to provide) Case No. TA-88-218
Intrastate Operator-Assisted)
Resold Telecommunications)
Services.)

In the matter of Teleconnect)
Company for authority to file)
tariff sheets designed to)
establish Operator Services) Case No. TR-88-282
within its certificated service)
area in the State of Missouri.)

In the matter of Dial U.S. for)
authority to file tariff sheets)
designed to establish Operator) Case No. TR-88-283
Services within its certificated)
service area in the State of)
Missouri.)

In the matter of Dial U.S.A.)
for authority to file tariff)
sheets designed to establish) Case No. TR-88-284
Operator Services within its)
certificated service area in)
the State of Missouri.)

In the matter of International)
Telecharge, Inc. for authority)
to file tariff sheets designed) Case No. TR-89-6
to establish Operator Services)
within its certificated service)
area in the State of Missouri.)

FILED
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PUBLIC SERVICE COMMISSION

RESPONSE OF INTERNATIONAL TELECHARGE, INC.
TO PUBLIC COUNSEL'S MOTION TO STRIKE

Comes now International Telecharge, Inc., (ITI), by Hendren and Andrae, Richard S. Brownlee, III, and for its Response to Public Counsel's Motion to Strike states:

1. On September 6, 1988, Public Counsel filed a Motion to Strike the rebuttal testimony of Dennis Thomas, alleging that the testimony of Mr. Thomas should be stricken because:

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a. He is a consultant and on the Board of Directors of ITI.

b. He did not file direct testimony.

c. His testimony was not "rebuttal" but was instead "direct."

2. Regarding the first allegation, ITI admits Mr. Thomas is a consultant and a member of the Board of Directors of ITI. We also point out Mr. Thomas holds a Ph.D. in Management, an M.A. in Public Administration and a B.B.A. in Finance, all from the University of Texas at Austin. Further, and of direct relation to this case, he served as Chairman and Commissioner of the Public Utility Commission of Texas for nearly four years since his appointment in 1984. Mr. Thomas obviously has unique qualifications to testify in this case.

3. Regarding the second allegation, there is no requirement known to ITI or this writer that would prevent a person from filing rebuttal testimony when they had not filed direct testimony. If that is true, then Public Counsel is in violation of their own charge in Case No. TO-88-142, wherein Public Counsel witness Douglas M. Brooks first appears in surrebuttal testimony!

4. Regarding the allegation that Mr. Thomas' testimony is flawed because it addresses the future of alternative operator services as rebuttal rather than direct, Public Counsel clearly ignores the direct testimony of its own witness to which Mr. Thomas responds.


Witness Drainer broadly states that AOS providers are a negative force in the telecommunications environment for end users. (Drainer Direct, p. 4) She discusses her membership on a NARUC task force on AOS which took a national survey. (Drainer Direct. p. 4)

Thomas properly addresses these broad charges and issues from a historical prospective in his rebuttal. Thomas also properly addresses the growth and present changes being made in ITI services which directly answer Drainer charges that AOS rates are excessive and that problems exist in reaching an operator. For example, a discussion of how ITI can compete with AT&T deals directly with the rate issue. (Thomas Rebuttal, p. 11) Additionally, Thomas specifically addresses how ITI is now handling the problem of reaching an AT&T operator. (Thomas Rebuttal, p. 9)

Drainer Direct ultimately charges all AOS should be barred in Missouri. Thomas properly responds by discussing how AOS competition will advantage the public in Missouri. When Public Counsel takes a position on direct that an existing, thriving, competitive telecommunication offering should cease doing business in this state, contrary to what is occurring throughout the rest of the nation, then we believe that Mr. Thomas' testimony as to what has happened in the past and what will happen in the future in the industry is entirely appropriate.

WHEREFORE, International Telecharge, Inc. prays an order denying Public Counsel's Motion to Strike.

HENDREN AND ANDRAE


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Attorneys for International
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Certificate of Service

I hereby certify that a true copy of the foregoing was mailed on September 8, 1988, by prepaid United States mail to all counsel of record.


Richard S. Brownlee, III