

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND
PROFESSIONAL CORPORATION
312 EAST CAPITOL AVENUE
P.O. BOX 456
JEFFERSON CITY, MISSOURI 65102-0456

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN
SARAH J. MAXWELL
CHARLES E. SMARR
MARK G. ANDERSON
DEAN L. COOPER
CHRISTINE J. EGBARTS
TIMOTHY T. STEWART

AREA CODE 573
TELEPHONE 635-7166
FACSIMILE 635-0427

April 29, 1997

FILED
APR 29 1997
MISSOURI
PUBLIC SERVICE COMMISSION

Mr. Cecil I. Wright
Executive Secretary
Missouri Public Service Commission
P. O. Box 360
Jefferson City, Missouri 65102

Re: Case No. TW-97-333

Dear Mr. Wright:

Enclosed for filing in the above-referenced matter, please find the Response of the Small Telephone Company Group to Staff's Motion to Delay Procedural Schedule.

Would you please see that this filing is brought to the attention of the appropriate Commission personnel. If there are any questions, please direct them to the undersigned. I thank you in advance for your attention to and cooperation in this matter.

Sincerely,


W.R. England, III

WRE/da
Enclosure

cc: Paul S. DeFord
Stephen Morris
Paul Lane
Linda Gardner
Mark Comley
Craig Johnson
Carl Lumley
James Stroo
Julie Grimaldi
Michael Dandino
Cherlyn McGowan

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

APR 29 1997

MISSOURI
PUBLIC SERVICE COMMISSION

In the matter of an Investigation)
into the Provision of Community)
Optional Calling Service in) Case No. TW-97-333
Missouri.)

RESPONSE OF THE
SMALL TELEPHONE COMPANY GROUP
TO STAFF'S MOTION TO DELAY PROCEDURAL SCHEDULE

Comes now the Small Telephone Company Group ("STCG"), members of which are listed on Attachment "A," and for its response to Staff's Motion to Delay Procedural Schedule, states to the Missouri Public Service Commission (Commission) as follows:

1. Staff requests an approximate one month delay in the procedural schedule to further investigate certain COS information contained in a schedule accompanying the direct testimony of STCG witness Robert C. Schoonmaker. Staff believes that there may be a problem with the factual data or that there may be inappropriate use of COS. First, the material contained in STCG witness Schoonmaker's direct testimony is similar to the information which he presented to the Commission in the GTE intralata dialing parity case (Case No. TT-96-398), only in this case, this COS information is presented on a statewide basis, not just GTE. Both Mr. Schoonmaker's schedule in the GTE case and in the instant case reveal that there is a significant amount of "return calling" from a COS target exchange to a COS petitioning exchange. Accordingly, Mr. Schoonmaker's schedule and the information presented therein should not come as a surprise to Staff or any other party who participated in the GTE case. If it is, then those parties should have raised their concerns and asked their questions earlier in the process. Second, if the Staff is concerned with the "inappropriate use" of COS, then that concern should

be pursued in a separate proceeding where a complete factual record can be developed and all parties to the case are given an adequate opportunity to present their case and respond to the claims of others.

2. The instant docket was created to determine the viability of continuing COS, particularly two-way COS, in an intralata dialing parity environment. Plans to implement dialing parity by both GTE and United Telephone Company of Missouri presumably will be delayed while the Commission completes this docket. Accordingly, the Commission wants to proceed as expeditiously as possible with the instant docket so as not to delay implementation of dialing parity in GTE and United exchanges any longer than is absolutely necessary. Staff's proposal to delay the instant proceeding is unnecessary, in light of the reasons given therefor. Again, Staff's concerns about certain uses of COS can be addressed in a separate proceeding without those concerns being prejudiced by any decision in the instant, generic case. Notwithstanding the STCG's concern about the timeliness and relevance of Staff's data requests, the STCG anticipates providing responses to Staff's April 25, 1997, data requests no later than Wednesday, April 30, 1997 (or within five days of receipt). Accordingly, Staff will have the information it has requested in time to include that information (if relevant) in its rebuttal testimony to be filed on May 2, 1997. Thus, to the extent Staff's Motion to Delay Procedural Schedule is predicated on its assumption that it will not have information to its data requests in a timely fashion, then such an assumption is not true.

WHEREFORE, in light of the foregoing, the STCG respectfully requests the Commission to deny Staff's Motion to Delay Procedural Schedule and for such other orders as are reasonable in the circumstances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. R. England, III", written over a horizontal line.

W. R. England, III Mo. #23975
BRYDON, SWEARENGEN & ENGLAND P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65101-0456

Attorneys for
The Small Telephone Company Group

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was mailed, United States Mail, postage prepaid, this 29th day of April, 1997, to:

Cherlyn McGowan
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

Craig S. Johnson
Andereck, Evans et al.
301 East McCarty, Box 1438
Jefferson City, Missouri 65102-1438

Paul S. DeFord
Charles W. McKee
Lathrop & Gage
2345 Grand Blvd., Suite 2500
Kansas City, Missouri 64108

Carl J. Lumley
Leland B. Curtis
Curtis, Oetting, et al.
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105

Stephen Morris
MCI Telecommunications Corp.
701 Brazos, Suite 600
Austin, Texas 78701

James C. Stroo
Associate General Counsel
GTE Telephone Operations
1000 GTE Drive, Box 307
Wentzville, Missouri 63385-0307


Paul G. Lane
Diana J. Harter
Leo J. Bub
Southwestern Bell Telephone Company
100 N. Tucker, Room 630
St. Louis, Missouri 63101-1976

Julie E. Grimaldi
Sprint Communications Company
8140 Ward Parkway, 5E
Kansas City, Missouri 64114

Linda K. Gardner
United Telephone Company of Missouri
5454 W. 110th Street
Overland Park, Kansas 66211

Michael Dandino
Office of the Public Counsel
P.O. Box 7800
Jefferson City, Missouri 65102

Mark W. Comley
Newman, Comley & Ruth
P.O. Box 537
Jefferson City, Missouri 65102


W.R. England III

ATTACHMENT A

ALLTEL Missouri Inc.
Bourbeuse Telephone Company
BPS Telephone Company
Cass County Telephone Company
Citizens Telephone Company of Higginsville, Missouri, Inc.
Craw-Kan Telephone Cooperative, Inc.
Ellington Telephone Company
Fidelity Telephone Company
Goodman Telephone Company, Inc.
Grand River Mutual Telephone Corporation
Green Hills Telephone Corp.
Holway Telephone Company
Kingdom Telephone Company
KLM Telephone Company
Lathrop Telephone Company
McDonald County Telephone Company
Mark Twain Rural Telephone Company
Miller Telephone Company
New Florence Telephone Company
New London Telephone Company
Orchard Farm Telephone Company
Oregon Farmers Mutual Telephone Co.
Stoutland Telephone Company