

Leo J. Bub
Senior Counsel

Southwestern Bell Telephone
One Bell Center
Room 3518
St. Louis, Missouri 63101
Phone 314 255-2508
Fax 314 247-0014



October 1, 1999

FILED

OCT 4 1999

**Missouri Public
Service Commission**

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
301 West High Street, Floor 5A
Jefferson City, Missouri 65101

Re: Case No. TO-99-615 and TO-2000-16

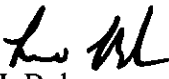
Dear Judge Roberts:

Enclosed, for filing in the above-captioned case, are an original and fourteen copies of Southwestern Bell Telephone Company's Report to the Commission Concerning Discovery Dispute With OPC.

Please stamp "Filed" on the extra copy and return the copy to me in the enclosed self-addressed, stamped envelope.

Thank you for bringing this matter to the attention of the Commission.

Very truly yours,


Leo J. Bub

Enclosures

cc: Attorneys of Record

FILED

OCT 4 1999

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Missouri Public
Service Commission

In the Matter of the Request of AT&T)
Communications of the Southwest, Inc., to) Case No. TO-99-615
Terminate Carrier of Last Resort Obligation.)

In the Matter of the Motion to Establish a)
Docket Investigating the IntraLATA Toll Service)
Provisioning Practices of Missouri Interexchange)
Carriers, Public Utility or Common Carrier Duties) Case No. TO-2000-16
of Interexchange Carriers, Motion to Show Cause,)
Request for Emergency Hearing, and Alternative)
Petition for Suspension and Modification.)

**SOUTHWESTERN BELL TELEPHONE COMPANY'S
REPORT TO THE COMMISSION
CONCERNING DISCOVERY DISPUTE WITH OPC**

Southwestern Bell Telephone Company respectfully submits this report to the Commission concerning the status of the discovery dispute with Office of the Public Counsel (OPC).

1. On July 16, 1999, Southwestern Bell received eight data requests from OPC pertaining to both Case Nos. TO-99-615 and TO-2000-16. Southwestern Bell responded by letter on July 22, 1999, that it would produce the information contained in DR Nos. 1-6 as soon as it was granted intervention in these two cases, and that it would begin working on the DRs so that there would be no added delay in providing answers once it was granted intervention. Southwestern Bell, however, objected to DR Nos. 7 and 8, because the information sought had no relevance to the issues raised in either case. (See Exhibit B2, OPC's September 9, 1999 Motion to Compel).

2. Without contacting Southwestern Bell to discuss these objections, OPC, on September 9, 1999, filed a Motion to Compel Southwestern Bell to answer DR Nos. 7 and 8. Southwestern Bell responded to this motion on September 20, 1999.

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3. Again, without contacting Southwestern Bell to discuss its differences with Southwestern Bell regarding these data requests, OPC filed a Supplemental Motion to Compel apparently on September 16, 1999 requesting the Commission to require Southwestern Bell to answer OPC DR Nos. 1-6 within five days of its Order granting Southwestern Bell intervention in Case Nos. TO-99-615 and TO-2000-16. Southwestern Bell did not receive the motion until September 24, 1999.

4. On September 21, 1999, the Commission issued its Order Granting Intervention, Setting Prehearing Conference, and Directing Filing of Procedural Schedule in Case No. TO-2000-16. The Commission made this order effective October 1, 1999.

5. As committed in both its July 22, 1999 letter to OPC and its September 20, 1999 response to OPC's Motion to Compel, Southwestern Bell has been gathering the information sought by OPC in DR Nos. 1-6. And Southwestern Bell mailed the requested information to OPC on October 1, the effective date of the Commission's Order granting Southwestern Bell's request to intervene in Case No. TO-2000-16.

6. As it indicated in both Southwestern Bell's July 22 letter to OPC and its September 20, 1999 response to OPC's Motion to Compel, Southwestern Bell has been willing to provide answers to OPC DR Nos. 1-6, once granted intervention, and without any motion to compel. And, Southwestern Bell has voluntarily done so. Had OPC merely contacted Southwestern Bell, it would have learned that there was no need to expend the effort preparing its Supplemental Motion to Compel and to consume additional Commission resources caused by such a filing. Southwestern Bell has discussed this with OPC and encouraged them to call Southwestern Bell to try and resolve discovery disputes before making such filings in the future.

WHEREFORE, having fully and voluntarily responded to OPC DR Nos. 1-6, Southwestern Bell submits that there is no need for Commission action on OPC's Supplemental Motion to Compel.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

BY 

PAUL G. LANE #27011
LEO J. BUB #34326
ANTHONY K. CONROY #35199
KATHERINE C. SWALLER #34271
Attorneys for Southwestern Bell Telephone Company
One Bell Center, Room 3518
St. Louis, Missouri 63101
314-235-2508 (Telephone)
314-247-0014 (Fax)

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by first-class, postage prepaid, U.S. Mail on October 1, 1999.

A handwritten signature in black ink, appearing to read 'Leo J. Bub', is written over a horizontal line.

Leo J. Bub

MICHAEL F. DANDINO
OFFICE OF THE PUBLIC COUNSEL
301 W. HIGH STREET, SUITE 250
JEFFERSON CITY, MO 65101

DAN JOYCE
MISSOURI PUBLIC SERVICE COMMISSION
301 WEST HIGH STREET, SUITE 530
JEFFERSON CITY, MO 65101

CRAIG S. JOHNSON
ANDERECK, EVANS, MILNE, PEACE,
BAUMHOER
301 E. MCCARTY STREET
P.O. BOX 1438
JEFFERSON CITY, MO 65102

WILLIAM R. ENGLAND, III
SONDRA B. MORGAN
BRYDON, SWEARENGEN & ENGLAND
PO BOX 456
JEFFERSON CITY, MO 65102

PAUL S. DEFORD
LATHROP & GAGE, L.C.
2345 GRAND BLVD.
KANSAS CITY, MO 64108

PETER MIRAKIAN, III
SPENCER FAIN BRITT & BROWNE LLP
1000 WALNUT STREET, SUITE 1400
KANSAS CITY, MO 64106