

B-
WRH
RD
SLW

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 27th
day of August, 1998.

In the Matter of the Application of Metracom)
Corporation for a Certificate of Service Authority)
to Provide Competitive Intrastate Interexchange) Case No. TA-98-543
Telecommunications Services Within the State of) Tariff #9800949
Missouri.)
)

ORDER SUSPENDING TARIFF, SETTING A PREHEARING CONFERENCE
AND SETTING ORAL ARGUMENTS

Metracom Corporation (Metracom) filed an Application for Interexchange Authority and Competitive Classification on June 1, 1998. Along with its application, Metracom submitted a tariff to the Commission for approval with an effective date of July 16. On June 9 the Commission issued a notice and schedule requiring that interventions be filed no later than June 24. Metracom extended the effective date of its tariff to August 29.

The Commission has reviewed Metracom's application and tariff filing, and is concerned about the legal foundation for Metracom's proposed imposition of a Federal Universal Service Fund fee of one percent of the customers' total intrastate billed charges. The charge represents the company's attempt to recover its contributions to the Federal Universal Service Fund for school, library, and health care programs. The Commission finds that the effective date of the tariff should be suspended and the parties should appear for a prehearing conference and oral arguments to resolve this specific issue.

Accordingly, the proposed tariff will be suspended for a period of 120 days beyond the effective date of August 29 to December 27, or until otherwise ordered by this Commission. The Commission will schedule a prehearing conference and oral arguments on the narrow issue of whether imposing a one percent fee on a customer's total intrastate billed charges is an appropriate method to pass-through the company's contributions to the Federal Universal Service Fund for school, library and health care programs.

IT IS THEREFORE ORDERED:

1. That the effective date of tariff #9800949, submitted on June 1, 1998, by Metracom Corporation, Inc. is suspended for a period of 120 days, beyond August 29, 1998, to December 27, 1998, or until otherwise ordered by this Commission:

Missouri P.S.C. Tariff No. 1

2. That the parties shall appear for a prehearing conference on September 15, 1998, at 9:00 a.m., in Room 520B in the Commission's office on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

3. That the parties will appear for oral arguments on October 9, 1998, at 9:00 a.m. in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

4. That anyone wishing to attend who has special needs as addressed by the Americans With Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the prehearing or hearing at one of the following numbers: Consumer Services Hotline - 1-800-392-4211, or TDD Hotline - 1-800-829-7541.

5. That this order shall become effective on August 29, 1998.

BY THE COMMISSION

A handwritten signature in cursive script that reads "Dale Hardy Roberts".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Murray
and Schemenauer, CC., concur.
Crumpton, C., absent.

Harper, Regulatory Law Judge

RECEIVED

AUG 27 1993

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION