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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 17th
day of February, 1999.

In the Matter of an Investigation to)
Implement a Statewide Telecommunications)
Equipment Distribution Program for Individuals) Case No. TO-97-16
Unable to Use Traditional Telephone Equipment)
Due to Disability.)

ORDER RESCINDING ALL PREVIOUS COMMISSION ORDERS REGARDING THE
ADAPTIVE TELEPHONE EQUIPMENT PROGRAM

Section 209.253.2, RSMo Supp. 1997 requires the Public Service Commission to "initiate an investigation to determine the most beneficial and cost-effective method to implement the provision of a statewide telecommunications equipment distribution program making available reasonable access to telephone service for eligible subscribers who are unable to use traditional telephone equipment due to disability." The Commission created the mandated equipment distribution program and named it the Adaptive Telephone Equipment Program (ATEP). The Commission found that ATEP could be best administered by the Department of Labor and Industrial Relations (DOLIR).

Effective November 1, 1998, ATEP was transferred to DOLIR through a Memorandum of Understanding between the Commission and DOLIR. The Memorandum of Understanding provided that the Commission would rescind its Orders of February 26, 1996*, February 28, 1997, June 20, 1997, June 25, 1997 and December 31, 1997, by which the ATEP program was established

*The Memorandum of Understanding refers to an order of February 26, 1996. In fact, the Commission's initial order establishing the ATEP program was issued on July 26, 1996.

and that DOLIR would set the parameters of the program. The Commission was to issue its order rescinding its previous orders when DOLIR had regulations or internal procedures in effect to administer the program or on March 15, 1999, whichever was sooner. On December 14, 1998, the Staff of the Missouri Public Service Commission filed a Motion to Rescind Previous Commission Orders in accordance with the Memorandum of Understanding.

DOLIR has filed an emergency rule with the Secretary of State that sets out the parameters of the program to be administered by DOLIR. The emergency rule has an effective date of March 1. It is now appropriate for the Commission to rescind its previous orders regarding ATEP.

IT IS THEREFORE ORDERED:

1. That responsibility for the Adaptive Telephone Equipment Program is transferred to the Department of Labor and Industrial Relations
2. That Staff's Motion to Rescind Previous Commission Orders is granted.
3. That the Commission's Orders of July 26, 1996, February 28, 1997, June 20, 1997, June 25, 1997 and December 31, 1997, which established the ATEP program, are rescinded.

4. That this order shall become effective on March 1, 1999.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Woodruff, Regulatory Law Judge