

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Request from                    )  
Customers in the Rockaway Beach                    )  
Exchange for an Expanded Calling Scope        )  
to Make Toll-Free Calls to Branson.            )            Case No. TO-2003-0257

**STAFF RESPONSE TO THE OFFICE OF  
THE PUBLIC COUNSEL’S STATUS REPORT**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its response to the Office of the Public Counsel’s Status Report states:

1.       On January 17, 2006, the Office of the Public Counsel filed a status report, which stated:

Public Counsel is in the process of contacting Rockaway Beach residents who signed the original petitions concerning the level of public interest in an expanded calling plan and discussion of terms and conditions. In the meantime, Public Counsel asks that the Commission schedule a public hearing in Rockaway Beach since that appears to be the best method to gather evidence of the public’s views of its needs and community interest in a form that the parties and the Commission can use as record evidence. Public Counsel will continue in discussions of options with parties, local leaders and telephone customers. But given the time since the original petitions, Public Counsel believes that a public hearing should be scheduled so that this case can be resolved in some manner.

2.       Public hearings were the subject of earlier pleadings in this case, in which the Staff stated its position that “public hearings would be premature since no plan would be available for public comment.”<sup>1</sup> There is no current expanded calling plan on the table, and therefore, the Staff believes scheduling a public hearing in Rockaway Beach is premature. The Commission, the parties, and the public would benefit more from a public hearing if a proposed expanded calling plan was available for discussion and comment.

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<sup>1</sup> Staff’s Response Regarding Local Public Hearings, EFIS Item No. 47, filed August 12, 2005.

3. The parties initially agreed to follow a procedure for addressing the expanded calling petitions that is consistent with the Task Force Report in Case No. TO-2004-0471, *In the Matter of a Commission Inquiry into the Metropolitan Calling Area Plan and Calling Scopes in Missouri*. The parties made this agreement before the Commission adopted 4 CSR 240-2.061 regarding petitions for expanded calling, which became effective on October 30, 2005. The table below outlines the Commission’s new rule on applications for expanded local calling plans. The Commission’s rules follow closely to the Task Force recommendations.

<b><u>Commission Rule</u></b> <b><u>4 CSR 240-2.061 Procedures</u></b>
1. Petition Filed.
2. Prehearing Conference within 60 days.
3. Applicant submits final recommendation.
4. Illustrative tariff sheets due: 1) 90 days from an order ruling on objections to the application; or 2) 90 days from the filing of the final recommendation. (Illustrative tariff sheets shall identify all rate adjustments and shall include supporting documentation).
5. The Commission may hold public hearings.
6. The Commission may hold a hearing or other appropriate proceeding.
7. Commission decision.

4. Public Counsel first filed the petition on January 29, 2003, and made a new request for expanded calling on February 24, 2005. The parties have met numerous times in an attempt to resolve this case, both in on-the-record prehearing conferences and in off the record meetings. CenturyTel filed illustrative tariff sheets and supporting documentation on May 25, 2005 regarding the Public Counsel’s February 24, 2005 expanded calling request. Before the

parties could address Public Counsel's renewed request and the illustrative tariff sheets, CenturyTel and Public Counsel filed a Stipulation and Agreement that proposed to resolve this case by using CenturyTel's annual price cap adjustment to basic local rates to offset a portion of the revenue requirement necessary to effectuate the proposed expanded calling plan. Public Counsel and CenturyTel later withdrew their proposal.

5. The Staff believes the next step is for the Public Counsel to file a final recommendation. In Public Counsel's December 12, 2005 Status Report, Public Counsel states that "[g]iven the new rule for expanded calling petitions, the best course of action is to limit the scope to the Rockaway Beach/Branson exchanges." This change and any other changes that Public Counsel wishes to make to the February 24, 2005 expanded calling request should be filed as a final recommendation, after which CenturyTel should file illustrative tariff sheets showing all rate adjustments CenturyTel would propose to accomplish the final recommendation, and all supporting documentation. The Staff's recommendation is to hold public hearings only after these steps have been satisfied.

WHEREFORE, the Staff respectfully submits this response to Public Counsel's January 17, 2006 Status Report.

Respectfully submitted,

**/s/ Marc Poston**

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**Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 24th day of January 2006.

**/s/ Marc Poston**