

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 4<sup>th</sup> day of  
December 2007.

In the Matter of the Tariff Filing of AT&T of the	)	
Southwest, Inc. Concerning Revisions in Billing	)	<b><u>Case No. TO-2008-0104</u></b>
Method for Certain Types of Prepaid Calling Cards	)	

**ORDER APPROVING STIPULATION AND AGREEMENT**

Issue Date: December 4, 2007

Effective Date: December 5, 2007

On September 21, 2007, AT&T Communications filed revised tariff sheets to change the domestic in-state “decrementation” rate for certain prepaid calling cards. The Commission denied a motion filed by the Office of the Public Counsel to suspend those tariffs, and they were allowed to go into effect on October 21.

After it filed the proposed tariffs, AT&T informed the Commission’s Staff that it had inadvertently failed to timely file its decrementation rate tariff revisions for the sale of certain prepaid cards sold through third party retailers. In other words, some cards were sold before the appropriate tariffs were in place. This was not the issue that prompted Public Counsel to file its motion to suspend the tariffs.

On November 28, AT&T, Staff, and the Office of the Public Counsel filed a Unanimous Stipulation and Agreement designed to resolve any potential penalties or refunds resulting from AT&T’s failure to timely update its tariffs. By the terms of the agreement, AT&T, without admitting or denying any violation of Commission rules, will voluntarily contribute 50,000 AT&T prepaid calling cards to United States military personnel. These cards have a retail market value of approximately \$425,000. AT&T also

agrees that for 90 days after the date the stipulation and agreement is approved, it will continue to make adjustments for Missouri customers that contact AT&T to complain that they were confused about the Missouri 8:1 decrementation rate, provided only one adjustment will be made for each PIN.

AT&T requests that the Commission approve the stipulation and agreement to be effective on and after December 5, so that the calling cards can be distributed to the soldiers before the holidays. No party objects to that request.

On November 29, the Staff of the Commission filed its suggestions supporting the stipulation and agreement. Public Counsel and AT&T filed letters on November 30 indicating their continued support for the stipulation and agreement.

The Commission finds the proposed stipulation and agreement to be a reasonable resolution of the dispute. The Commission will approve the unanimous stipulation and agreement.

**IT IS ORDERED THAT:**

1. The Unanimous Stipulation and Agreement filed on November 28, 2007, is approved as a resolution of all issues pertaining to AT&T Communications' inadvertent failure to timely update its tariffs for certain prepaid calling cards. (See Attachment 1).
2. All signatory parties are ordered to comply with the terms of the Stipulation and Agreement.

3. This order shall become effective on December 5, 2007.

BY THE COMMISSION



Colleen M. Dale  
Secretary

(S E A L)

Davis, Chm., Murray, Clayton, Appling,  
And Jarrett, CC., concur

Woodruff, Deputy Chief Regulatory Law Judge