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July 24, 2002

Mr. Dale Hardy Roberts
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

FILED³
JUL 24 2002

Re: CO-2002-1078

Missouri Public
Service Commission

Dear Mr. Roberts:

Enclosed for filing on behalf of the Small Telephone Company Group ("STCG"), please find an original and eight (8) copies of Suggestions of the Small Telephone Company Group in Opposition to Motion of the Office of Public Counsel to Expand Scope of Case.

Would you please see that this filing is brought to the attention of the appropriate Commission personnel.

I thank you in advance for your cooperation in this matter.

Sincerely yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:



Sondra B. Morgan

SBM/lar

Enclosure

cc: General Counsel
Michael F. Dandino
Larry W. Dority
Sheldon K. Stock
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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

JUL 24 2002

Missouri Public
Service Commission

In the Matter of the Investigation of the)
Status of Prepaid Local Service Providers)
as Alternative Local Exchange Competitors)
Under Section 392.245, RSMo.)

Case No. CO-2002-1078

**SUGGESTIONS OF THE SMALL TELEPHONE COMPANY GROUP
IN OPPOSITION TO
MOTION OF THE OFFICE OF PUBLIC COUNSEL
TO EXPAND SCOPE OF CASE**

Comes now the Small Telephone Company Group ("STCG") and files its Suggestions in Opposition to the Office of Public Counsel's Motion to Expand Scope of Case ("Motion") to the Missouri Public Service Commission ("Commission").

1. On May 16, 2002, the Office of Public Counsel ("Public Counsel") filed a Motion to Establish Case and to Conduct an Investigation requesting that the Commission consider the status of prepaid providers and whether competition from prepaid providers was sufficient to allow the incumbent local exchange telecommunications company to elect to be price cap regulated under § 392.245, RSMo 2000. On June 24, the STCG filed Suggestions in Opposition to Public Counsel's Motion, and the positions and arguments included in those Suggestions are reiterated and incorporated by reference in these Suggestions.

2. On July 17, 2002, Public Counsel filed a Motion to Expand Scope of Case in which it requested that the Commission "broaden the scope of its request to include consideration of the status of all types of resellers of local service as alternative local exchange competitors under Section 392.245, RSMo." Public Counsel stated that although it did not agree that all types of

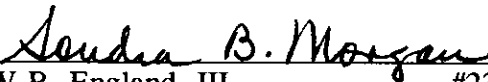
resellers other than prepaid could not serve as competition, the Staff of the Commission had raised the issue of whether any reseller of basic local service could qualify as an alternative local exchange competitor in two other proceedings currently pending before the Commission,¹ and it was willing to have that issue explored in this case.

3. As was stated in its previous Suggestions, the STCG does not believe that an investigation of the status of any resellers, prepaid or otherwise, as it relates to competition by an alternative local exchange company under the price cap statute is necessary, as the statute is clear and unambiguous and can have only one interpretation. There is no need for the Commission to open a case to "investigate" whether a reseller or a prepaid reseller is providing service sufficient to qualify the incumbent for price cap status when the statute clearly states that holding a certificate to provide basic local telecommunications service is enough.

Wherefore, for all the reasons stated above as well as those set out in its Suggestions in Opposition filed June 24, 2002, the STCG respectfully requests that the Commission deny Public Counsel's Motion to Expand Scope of Case as well as its prior Motion to Establish Case and to Conduct an Investigation.

¹*Staff of the Missouri Public Service Commission v. BPS Telephone Company*, Case No. TC-2002-1078 and *In the Matter of the Notice of Election of ALLTEL Missouri, Inc. to be Price Cap Regulated under Section 392.245, RSMo 2000*, Case No. IO-2002-1083.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered on this 24th day of July, 2002, to the following parties:

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