

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

STATE CORPORATION COMMISSION

JUL 15 2009

In the Matter of the Application of)
Southwestern Bell Telephone Company for)
Price Deregulation of Residential)
Telecommunications Services in the)
Abilene, Chanute, Clay Center, Ellsworth,)
Emporia, Independence, Minneapolis,)
Neodesha, and Parsons, Kansas Exchanges)
Pursuant to K.S.A. 66-2008 Supp. 66-
2005(1)(1).

Docket No. 10-SWBT-019-PDR

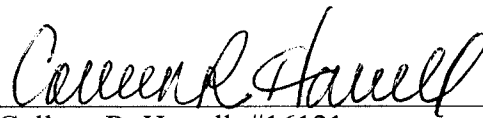
 Docket Room

NOTICE OF FILING OF STAFF REPORT AND RECOMMENDATION

COMES NOW the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) and files its report and recommendation requesting suspension of Southwestern Bell Telephone Company's request for price deregulation of residential telecommunications services in the Abilene, Chanute, Clay Center, Ellsworth, Emporia, Independence, Minneapolis, Neodesha, and Parsons, Kansas exchanges.

WHEREFORE Staff requests the Commission consider its report and recommendation and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,



Colleen R. Harrell, #16121
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Attorney for Commission Staff

VERIFICATION

STATE OF KANSAS)
)
COUNTY OF SHAWNEE) SS:

Colleen R. Harrell, of lawful age being first duly sworn upon oath states:

That she is the attorney for the Corporation Commission Staff in this matter; that she has read and is familiar with the foregoing Notice and that the statements made therein are true and correct to the best of her information, knowledge and belief.



Colleen R. Harrell

Subscribed and sworn to before me Wednesday, July 15, 2009.



Notary Public

 PAMELA J. GRIFFETH Notary Public - State of Kansas My Appt. Expires <u>08-17-2011</u>

My appointment expires:

**MEMORANDUM
UTILITIES DIVISION**

TO: Chairman Wright
Commissioner Moffet
Commissioner Harkins

FROM: Christine Aarnes

DATE: July 14, 2009

DATE SUBMITTED TO LEGAL: 7/14/09

DATE SUBMITTED TO COMMISSIONERS: 7/15/09

RE: Docket No. 10-SWBT-019-PDR

In the Matter of the Application of Southwestern Bell Telephone Company for Price Deregulation of Residential Telecommunications Services in the Abilene, Chanute, Clay Center, Ellsworth, Emporia, Independence, Minneapolis, Neodesha and Parsons, Kansas Exchanges Pursuant to K.S.A. 2008 Supp 66-2005(q) (1).

BACKGROUND:

This application was filed on July 6, 2009 by Southwestern Bell Telephone Company d/b/a AT&T Kansas (AT&T), and requests price deregulation of residential telecommunications services in the Abilene, Chanute, Clay Center, Ellsworth, Emporia, Independence, Minneapolis, Neodesha and Parsons exchanges in the state of Kansas pursuant to K.S.A. 2008 Supp. 66-2005(q)(1)(D).

On July 8, 2009, Citizens' Utilities Ratepayer Board (CURB) filed a request for intervention. The Commission granted CURB's request for intervention in an order dated July 10, 2009.

The Commission action date is: July 27th, 2009.

ANALYSIS:

This application was filed pursuant to K.S.A. 66-2005(q)(1)(D). According to K.S.A. 66-2005(q)(4), "the commission shall act upon a petition filed pursuant to subsection (q)(1)(C) and (D) within 21 days, subject to an extension period of an additional 30 days, and upon a good cause showing of the commission in the extension order, or within shorter time as the commission shall approve. The commission shall issue a final order within the 21-day period or within a 51-day period if an extension order has been issued."

The proposed application raises issues that require further review before they can be approved. Staff sent data requests to the named competitors in AT&T's application in order to assist Staff in its evaluation of AT&T's request. Therefore, Staff recommends the Commission suspend this filing for an additional 30 days so that Staff can review the filing and the data request responses.

RECOMMENDATION:

Staff recommends the Commission suspend this application for 30 days, with a new Commission action date of August 26, 2009.

cc: Don Low Susan Duffy Pat Shurtz
Tom Stratton Colleen Harrell

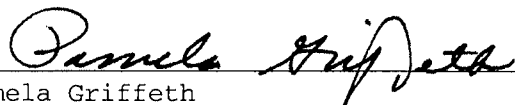
CERTIFICATE OF SERVICE

10-SWBT-019-PDR

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Notice of Filing of Staff Report and Recommendation was placed in the United States mail, postage prepaid, or hand-delivered this 15th day of July, 2009, to the following:

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Pamela Griffeth
Administrative Specialist