2009.07.17 14:41:38 Kansas Corporation Commission /S/ Susan K. Duffy

THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

| Before Commissioners: | Thomas E Michael C Joseph F. | | |
|---|------------------------------------|---|----------------------------|
| In the Matter of the Application of | |) | |
| Southwestern Bell Telephone Company for | |) | Docket No. 10-SWBT-019-PDR |
| Price Deregulation of Residential | |) | |
| Telecommunications Services in th | ne . | í | |

Abilene, Chanute, Clay Center, Ellsworth, Emporia, Independence, Minneapolis, Neodesha and Parsons, Kansas Exchanges Pursuant to K.S.A. 2008 Supp 66-2005(q)

(1).

SUSPENSION ORDER

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised in the premises, the Commission finds and concludes as follows:

- 1. On July 6, 2009, Southwestern Bell Telephone Company (SWBT) filed an application for price deregulation of residential telecommunications services in the Abilene, Chanute, Clay Center, Ellsworth, Emporia, Independence, Minneapolis, Neodesha and Parsons exchanges pursuant to K.S.A. 2008 Supp. 66-2005(q)(1).
- 2. On July 15, 2009, Commission staff filed a memorandum recommending the Commission suspend SWBT's application as provided for in K.S.A. 2008 Supp. 66-2005(q)(4). Staff's memorandum state the application "raises issues that require further review before [the application] can be approved." Staff indicates it has submitted discovery requests to the competitors named in SWBT's application, but requires additional time in order to evaluate the responses and make a recommendation to the Commission.

3. In order to allow sufficient time for a full investigation, the Commission finds that it is necessary to suspend the effective date of filing for a period of 30 days, until August 26, 2009, as allowed by K.S.A. 2008 Supp. 66-2005(q)(4).

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. The filing is suspended pursuant to K.S.A. 2008 Supp. 66-2005(q)(4) until **August 26, 2009**.
- B. The parties have fifteen days, plus three days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2008 Supp. 77-529(a)(1).
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Wright, Chmn.; Moffet, Com., Harkins, Com.

Dated: **JUL 17 2009**

ORDERED MAILED

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EXECUTIVE DIRECTOR

Susan K. Duffy Executive Director

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