



Martha S. Hogerty
Public Counsel

State of Missouri

McI Carnahan
Governor

Office of the Public Counsel
Harry S Truman Building - Ste. 250
P.O. Box 7800
Jefferson City, Missouri 65102

Telephone: 573-751-4857
Facsimile: 573-751-5562
Relay Missouri
1-800-735-2966 TDD
1-800-735-2466 Voice

February 9, 1999

FILED

FEB - 9 1999

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

Missouri Public
Service Commission

**RE: Southwestern Bell Telephone Company to Provide In-Region InterLATA
Services/Section 271
Case No.: TO-99-227**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case is the original of the **Office of the Public Counsel and State of Missouri's Joint Position Statement Regarding Hearing Procedure**. I have also on this date mailed and/or hand-delivered the appropriate number of copies to all counsel of record and other interested parties. Please "file" stamp the extra-enclosed copy and return it to this office. Thank you for your attention to this matter.

Very truly yours,

Michael F. Dandino
Senior Public Counsel

MFD:rjr

cc: Counsel of Record
Other Interested Parties

Enclosure

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

FILED
FEB - 9 1999
Missouri Public
Service Commission

In the Matter of the Application of Southwestern)
Bell Telephone Company to Provide Notice of)
Intent to File an Application for Authorization to)
Provide In-Region InterLATA Services)
originating in Missouri Pursuant to Section 271)
of the Telecommunications Act of 1996.)

Case No.: TO-99-227

**OFFICE OF THE PUBLIC COUNSEL AND STATE OF MISSOURI'S
JOINT POSITION STATEMENT REGARDING HEARING PROCEDURE**

The Office of the Public Counsel and the State of Missouri (the "State"), through the Attorney General, appear before the Commission to express their joint concern at the anticipated desire of many of the parties attending the pre-hearing conference to strictly limit the time for cross examining witnesses at the hearing.

This docket is Missouri's best opportunity to really open both the local and long distance markets--something that has not been accomplished elsewhere notwithstanding the passage of the Federal Telecommunications Act of 1996. Public Counsel and the State pray that the Commission not lose its focus. The purpose of the hearing is to develop a full and complete evidentiary record to pass on to the Federal Communications Commission with the Commission's recommendation. The convenience of the attorneys and their witnesses must fall a distant second in consideration. We feel the parties should make a good faith effort to fit all the examination within the nine days set for hearing. But the world will not come to an end if the Commission ultimately must add a day or two of hearing to ensure that all parties have a full opportunity to cross examination witnesses and to answer the Commission's questions.

43

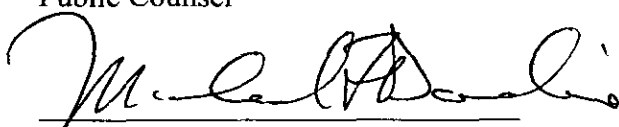
Some parties assert that this case is not a contested hearing. If that is so, then disperse with all restrictions on the ability of parties to produce information to the Commission. Make the process a collaborative one. If the case is a contested hearing, then it becomes a farcical exercise to pretend an evidentiary record is complete when arbitrary time limits are set for producing evidence.

Too much is at stake in this hearing. The telecommunications companies opposed to unlimited cross should understand that the public and consumers like the various agencies and offices of the State of Missouri have as much vested in the outcome of this proceeding as do the carriers. The Office of the Public Counsel, whose represents the consuming public, and the Attorney General, who represents the state agencies that spend taxpayer dollars to purchase local and long distance service, have too great a responsibility to our constituencies to acquiesce in agreements between certain parties to abridge the record in this case. We are confident that the Commission agrees that making the right recommendation to the FCC is worth allowing all the parties to cross examine witnesses to the extent necessary to develop a complete record.

Respectfully submitted,

MARTHA S. HOGERTY
Public Counsel

By:

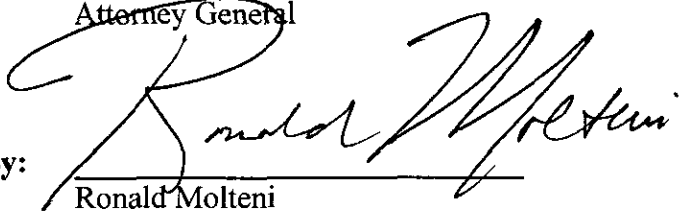

Michael F. Dandino
Senior Public Counsel
Missouri Bar No. 24590

Office of the Public Counsel
301 West High Street, Box 7800
Jefferson City, MO 65102
Telephone: (573) 751-5559
Facsimile: (573) 751-5562

JEREMIAH W. (Jay) NIXON

Attorney General

By:


Ronald Molteni

Assistant Attorney General

Missouri Bar No. 90946

Mark E. Long

Assistant Attorney General

Missouri Bar No. 45952

Broadway State Office Building

221 West High Street

P. O. Box 899

Jefferson City, MO 65102

Telephone: (573) 751-3321

Telefax: (573) 751-5660

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, this 9th day of February, 1999 to the parties on the attached list:

Penny G. Baker // David J. Stueven
General Counsel's Office
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

Richard S. Brownlee, III
Hendren and Andrae, L.L.C.
Riverview Office Center
221 Bolivar Street, Box 1069
Jefferson City, MO 65102

Paul S. DeFord
Lathrop & Gage, L.C.
2345 Grand Boulevard, Suite 2500
Kansas City, MO 64108-2684

Kenneth A. Schifman // David Woodsmall
Sprint Communications Company, L.P.
8140 Ward Parkway, 5E
Kansas City, MO 64114

Paul G. Lane // Anthony K. Conroy
Southwestern Bell Telephone Company
One Bell Center, Room 3520
St. Louis, MO 63101-1976

Carl J. Lumley // Leland B. Curtis
Curtis, Oetting, Heinz, Garrett & Soule
130 South Bemiston, Suite 200
St. Louis, MO 63105

Edward J. Cadieux, Director
MCI WorldCom
One Brooks Center Parkway, 4th Floor
Town & Country, MO 63017

Craig S. Johnson
Andereck, Evans, Milne, Peace & Baumhoer
305 East McCarty Street, Box 1438
Jefferson City, MO 65102-1438

Ronald Molteni // Mark E. Long
Assistant Attorneys General
Broadway State Office Building
221 West High Street, Box 899
Jefferson City, MO 65102

Mary Ann (Garr) Young
William D. Steinmeier, P.C.
2031 Tower Drive, Box 104595
Jefferson City, MO 65110-4595

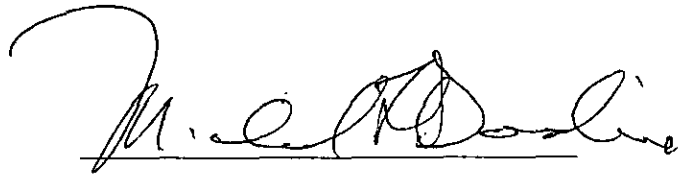
Mark W. Comley
Newman, Comley & Ruth, P.C.
601 Monroe Street, Suite 301
Jefferson City, MO 65102-0537

Karl Zobrist // Christine Egbarts
Blackwell Sanders Peper Martin, L.L.P.
2300 Main Street, Suite 1100
Kansas City, MO 64108

James M. Fischer, P.C.
Attorney at Law
101 West McCarty Street, Suite 215
Jefferson City, MO 65101

Charles Brent Stewart
Stewart & Keevil, L.L.C.
1001 Cherry Street, Suite 302
Columbia, MO 65201

W. R. England, III
Brydon, Swearengen & England, P.C.
312 East Capitol Avenue, Box 456
Jefferson City, MO 65102-0456

A handwritten signature in dark ink, appearing to read "M. E. Long", is written over a horizontal line.

AMERITECH COMMUNICATIONS
INTERNATIONAL
9525 WEST BRYN MAWR, SUITE 600
ROSEMONT, IL 60018

BELLSOUTH BSE, INC.
BUILDING 200, SUITE 1100
2727 PACES FERRY ROAD
ATLANTA, GA 30339-4053

BTI
4300 SIX FORKS ROAD, SUITE 400
RALEIGH, NC 27609

DIAL & SAVE OF MISSOURI, INC.
8750 NORTH CENTRAL EXPRESSWAY
SUITE 1500
DALLAS, TX 75231

DIAL US
333 PARK CENTRAL E
SUITE 926
SPRINGFIELD, MO 65806

DOBSON WIRELESS, INC.
13439 NORTH BROADWAY EXT.
SUITE 200
OKLAHOMA CITY, OK 73114

EXCEL TELECOMMUNICATIONS SYSTEMS, INC.
8750 NORTH CENTRAL EXPRESSWAY
P.O. BOX #6
DALLAS, TX 75231

EXOP OF MISSOURI, INC.
402 A EAST BANNISTER ROAD
KANSAS CITY, MO 64131

EZ TALK COMMUNICATIONS, L.L.C.
4727 SOUTH MAIN
STAFFORD, TX 77477

FAST CONNECTIONS, INC.
P. O. BOX 130418
DALLAS, TX 75313-0418

FRONTIER TELEMAGEMENT, INC.
180 SOUTH CLINTON AVENUE
ROCHESTER, NY 14646

GE EXCHANGE
6540 POWERS FERRY ROAD
ATLANTA, GA 30339

GROUP LONG DISTANCE, INC.
1451 West Cypress Creek Road, Ste. 2001
Fort Lauderdale, FL 33009

ICG TELECOM GROUP, INC.
161 INVERNESS DRIVE WEST
ENGLEWOOD, CO 80112

INTERMEDIA COMMUNICATIONS, INC.
3625 QUEEN PALM DRIVE
TAMPA, FL 33619

KANSAS CITY FIBER NETWORK, LP
1111 MAIN STREET, SUITE 300
KANSAS CITY, MO 64105

LCI INTERNATIONAL TELECOM CORPORATION
d/b/a QWEST COMMUNICATIONS SERVICES
4250 NORTH FAIRFAX DRIVE, SUITE 12W055
ARLINGTON, VA 22203

LDD, INC.
24 SOUTH MINNESOTA
CAPE GIRARDEAU, MO 63701

LDM SYSTEMS, INC.
254 SOUTH MAIN STREET
NEW YORK, NY 10956

LOCAL FONE SERVICE, INC.
624 SIX FLAGS DRIVE, SUITE 214
ARLINGTON, TX 76011

LOCAL LINE AMERICA, INC.
2680 STATE ROAD
CUYAHOGA FALLS, OH 44223

MARK TWAIN COMMUNICATIONS COMPANY
P.O. BOX 128
HURDLAND, MO 63547

MAXCOM, INC.
10647 WIDMER ROAD
LENEXA, KS 66215

MAX-TEL COMMUNICATIONS, INC.
102 WEST FRANKLIN
ALVORD, TX 76225

MEGSINET-CLEC, INC.
225 WEST OHIO, SUITE 200
CHICAGO, IL 60610

MFS INTELENET OF MISSOURI, INC.
3 Wing Drive, Suite 200
Cedar Knolls, NJ 07927

MICOMM SERVICES, INC.
4001 MCEWEN DRIVE
SUITE 200
DALLAS, TX 75244

MICROWAVE SERVICES, INC.
3 BALA PLAZA EAST, SUITE 502
BALA CYNWID, PA 19004

MIDWESTERN TEL
3809 CASTELMAN AVENUE
SUITE 100
ST. LOUIS, MO 63110

NAVIGATOR TELECOMMUNICATIONS, LLC
212 Center Street, Suite 500
LITTLE ROCK, AR 72201

NOW COMMUNICATIONS, INC.
713 COUNTRY PLACE DRIVE
JACKSON, MS 39208-6619

PREFERRED CARRIER SERVICES, INC.
500 GRAPEVINE HIGHWAY
SUITE 300
HURST, TX 76054

QCC, INC.
8829 BOND STREET
OVERLAND PARK, KS 66214

QUINTELCO, INC.
1 BLUE HILL PLAZA
PEARL RIVER, NY 10965

RECONEX
9620 S.W. BARUR BOULEVARD
SUITE 330
PORTLAND, OR 97219

RECONEX
9620 S.W. BARUR BOULEVARD
SUITE 330
PORTLAND, OR 97219

SURETEL, INC.
5 NORTH MCCORMICK
OKLAHOMA CITY, OK 73127

TEL-LINK, L.L.C.
1001 THIRD AVENUE WEST
SUITE 354
BRADENTON, FL 34205

TEL-SAVE, INCORPORATED OF PENNSYLVANIA
6805 ROUTE 202
NEW HOPE, PA 18938

THE CUBE
1063 WIRT ROAD
SUITE 202
HOUSTON, TX 77005

TRANSAMERICAN TELEPHONE
209 E UNIVERSITY
DANTON, TX 76201

U.S. TELCO, INC.
1600 PACIFIC AVENUE #2700
DALLAS, TX 75201-3565

USLD COMMUNICATIONS, INC.
4250 NORTH FAIRFAX DRIVE
12W034
ARLINGTON, VA 22209

USN COMMUNICATIONS SOUTHWEST, INC.
10 S. RIVERSIDE PLAZA, SUITE 401
CHICAGO, IL 60606

WINSTAR WIRELESS OF MISSOURI, INC.
7799 LEESBURG PIKE, SUITE 401 s
TYSONS CORNER, VA 22043

Z-TEL COMMUNICATIONS, INC.
777 SOUTH HARBOUR ISLAND BOULEVARD
SUITE 990 TAMPA, FL 33602

ACI Corporation
7337 South Revere Parkway
Englewood, CO 80112

BarTel Communications, Inc.
14 Clif-side
Glendale, MO 63122

Camarato Distributing, Inc.
900 Camarato Drive
Herrin, IL 62948

Choctaw Communications, L.C.
d/b/a Smoke Signal Communications
8400 South Gessner
Houston, TX 77074

JATO Communications Corporation
5660 Greenwood Plaza Boulevard
Suite 200
Englewood, CO 80111

Level 3 Communications, L.L.C.
1450 Infinite Drive
Louisville, CO 80027

NET-Tel Corporation
d/b/a NET-Tel Communications Corporation
3050 K Street, N.W., Suite 250
Washington, DC 20007

The Pager Company
5321 East 9th Street
Kansas City, MO 64124

Simply Local Services, Inc.
11406 Gravois Road
Suite 100
St. Louis, MO 63126

Supra Telecommunications and Information Systems,
Inc.
2620 S.W., 27th Avenue
Miami, FL 33133

United States Telecommunications, Inc.
d/b/a Tel Com Plus
13902 North Dale Mabry, Suite 212
Tampa, FL 33618

Universal Telephone
2611 East Harry
Wichita, KS 67211

Atlas Communications, Ltd.
482 Norristown Road
Suite 200
Blue Bell, PA 19422

Birch Telecom of Missouri, Inc.
1004 Baltimore Avenue
Suite 900
Kansas City, MO 64105

Comcast Telecommunications, Inc.
D/b/a Comcast Long Distance
211 South Gulph Road
King of Prussia, PA 19406

Craw-Kan Telephone Cooperative
200 North Ozark, Box 100
Girard, KS 66743

Digital Broadcast Network Corporation
977 Charter Commons
Chesterfield, MO 63017

Green Hills Telephone Corporation
P. O. Box 227
Breckenridge, MO 64625

Group Long Distance, Inc.
1451 West Cypress Creek Road
Suite 2001
Fort Lauderdale, FL 33309

Iamo Telephone Company
104 Crook Street
P. O. Box 368
Coin, IA 51636

Missouri Comm South, Inc.
101 Randol Mill, Suite 108
Arlington, TX 76011

Missouri CSI Corporation
12835 East Arapahoe Road, 5th Floor
Englewood, CO 80112

Ominplex Communications Group
743 Sprint 40 Park, Suite 250
Chesterfield, MO 63005

TDS Engineering, L.L.C.
229 East Fourth Street
P. O. Box 297
Carthage, MO 64836

. Teligent, Inc.
8065 Leesburg Pike, Suite 400
Vienna, VA 22182