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March 1, 2001

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Director, Utility Services

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Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

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

RE: Case No. To-2001-467

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **MOTION TO OPEN CASE, MOTION FOR PROTECTIVE ORDER** and **MOTION FOR JOINDER OF PARTIES**.

This filing has been mailed or hand-delivered this date to all entities named on the service list.

Thank you for your attention to this matter.

Sincerely yours,

Wm K Haas

William K. Haas
Deputy General Counsel
(573) 751-7510
(573) 751-9285 (Fax)

WKH:sw
Enclosure
cc: Service List

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

MAR - 1 2001

Missouri Public
Service Commission

In the Matter of the Investigation of the)
State of Competition in the Exchanges of)
Southwestern Bell Telephone Company.)
)

Case No. TO-2001-467

MOTION TO OPEN CASE

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its motion states:

1. Subsection 392.245.5 RSMo 2000 states that the Missouri Public Service Commission (Commission) "shall, from time to time, on its own motion or motion by an incumbent local exchange telecommunications company, investigate the state of competition in each exchange where an alternative local exchange telecommunication company (ALEC) has been certified to provide local exchange telecommunications service and shall determine, no later than five years following the first certification of an alternative local exchange telecommunication company in such exchange, whether effective competition exists in the exchange for the various services of the incumbent local exchange telecommunications company."

2. Southwestern Bell Telephone Company (SWBT) is an incumbent local exchange telecommunications company.

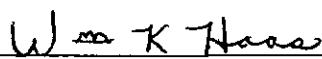
3. Communications Cable-Laying Company, Inc., d/b/a Dial U.S. was the first ALEC to provide basic local telecommunications service in a SWBT exchange. The

Commission issued a Report and Order, effective September 6, 1996, in Case No. TO-97-53 that approved an interconnection agreement between SWBT and Dial U.S. The Commission issued a Report and Order in Case No. TA-96-347 that granted Dial U.S. a certificate of service authority to provide local exchange and basic local exchange telecommunications services, with the certificate to become effective when its tariff becomes effective. The Commission subsequently approved the tariff of Dial U.S. for service on and after December 31, 1996.¹ Thus, an ALEC will have been certified to provide local exchange telecommunications service in a SWBT exchange for five years as of December 31, 2001.

WHEREFORE, the Staff requests the Commission to open a case to investigate the state of competition in SWBT's exchanges.

Respectfully submitted,

DANA K. JOYCE
General Counsel



William K. Haas
Deputy General Counsel
Missouri Bar No. 28701

Attorney for the Staff of the
Missouri Public Service Commission
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¹ In Case No. TM-98-503, the Commission approved the transfer of the assets and customers of Dial U.S. to McLeod USA Telecommunications Services, Inc., and cancelled the basic local certificate and tariffs granted to and approved for Dial U.S. in Case No. TA-96-347.

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the entities shown on the attached service list this 1st day of March, 2001.

Wm K Haas

Service List for

Case No. _____

Revised: March 1, 2001 (SW)

Office of the Public Counsel

P.O. Box 7800

Jefferson City, MO 65102

Paul Lane/Leo J. Bub

Southwestern Bell Telephone Company

One Bell Center, Room 3518

St. Louis, MO 63101

**Seventy ALECs listed on Appendix A to
Motion for Joinder of Parties**

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²
MAR - 1 2001
Missouri Public
Service Commission

In the Matter of the Investigation of the)
State of Competition in the Exchanges of)
Southwestern Bell Telephone Company.)
)

Case No. TO-2001-467

MOTION FOR PROTECTIVE ORDER

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its motion states:

1. The Staff is concurrently filing a motion to open this case to investigate the status of competition in the exchanges of Southwestern Bell Telephone Company.

2. The Staff intends to seek discovery from SWBT and from alternative local exchange telecommunications companies (ALECs) to assist it in making a recommendation to the Commission. The Staff will seek to discover information such as, but not limited to, the ALEC's method of providing service (facilities-based or resale) in each exchange, and the number and types of access lines (residential and business) and revenues for the ALECs. Based upon its prior experience, the Staff believes that the companies may claim (1) that such information is proprietary or highly confidential, (2) that public disclosure of such information would harm the companies' business interests, and (3) that such information cannot be found in any format in any other public document.

WHEREFORE, pursuant to 4 C.S.R. 240-2.085, the Staff requests the Commission to issue its standard Protective Order.

Respectfully submitted,

DANA K. JOYCE
General Counsel

Wm K Haas
William K. Haas
Deputy General Counsel
Missouri Bar No. 28701

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Wm K Haas

Service List for

Case No. _____

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**Seventy ALECs listed on Appendix A to
Motion for Joinder of Parties**

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²
MAR - 1 2001
Missouri Public
Service Commission

In the Matter of the Investigation of the)
State of Competition in the Exchanges of)
Southwestern Bell Telephone Company.)
)

Case No. TO-2001-467

MOTION FOR JOINDER OF PARTIES

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its motion states:

1. The Staff is concurrently filing a motion to open this case to investigate the status of competition in the exchanges of Southwestern Bell Telephone Company (SWBT).
2. Alternative local exchange telecommunication companies (ALECs) operating within SWBT's exchanges possess information concerning the status of competition in SWBT's exchanges. A Commission finding under § 392.245.5 RSMo 2000 that effective competition exists for services in SWBT's exchanges, with the result that SWBT may thereafter adjust its rates for such competitive services upward or downward as it determines appropriate, may have an impact on the competing ALECs' business interests.
3. Pursuant to § 386.250 RSMo 2000, the jurisdiction, supervision, powers and duties of the Public Service Commission extend to all telecommunications facilities, telecommunications services and telecommunications companies. Furthermore, § 386.250(7) grants implied powers to the Commission. Also, § 386.320.1 RSMo 2000 provides that the

Commission shall have the general supervision of and the power to examine all telephone corporations.

4. Section 536.067 RSMo 2000 provides, in part, "In any contested case: (1) the agency shall promptly mail a notice of institution of the case to all necessary parties, if any, and to all persons designated by the moving party and to any other persons to whom the agency may determine that notice should be given."

5. By analogy to Supreme Court Rule 52.04, SWBT is a necessary and indispensable party. By analogy to Supreme Court Rule 52.05, the ALECs operating in SWBT's exchanges should be made parties because a question of fact – the status of competition in SWBT's exchanges – common to all of them will arise in the action.

6. The Staff has identified seventy ALECs that have certificates of service authority, interconnection agreements, and tariffs allowing them to offer basic local service in SWBT exchanges. These ALECs are listed on Appendix A.

WHEREFORE, the Staff requests the Commission to join SWBT and the listed ALECs as parties to this case.

Respectfully submitted,

DANA K. JOYCE
General Counsel

Wm K Haas

William K. Haas
Deputy General Counsel
Missouri Bar No. 28701

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Missouri Public Service Commission
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Wm K Haas

**Missouri Competitive Basic Local Exchange Telephone Service Carriers (CLECs)
Operating in Southwestern Bell Telephone Company Service Areas**

#	Company	Type	Telephone Number	Service Area
1	1-800-Reconex, Inc. (f/k/a Sterling International Funding, Inc., d/b/a Reconex) P.O. Box 40 2500 Industrial Avenue Hubbard, OR 97032	Prepaid	Business and residential 800-275-8223 888-732-6639	All SWBT, all Sprint
2	2nd Century Communications, Inc. 7702 Woodland Center Boulevard, Suite 50 Tampa, FL 33614	f	Business only 888-272-8778	All SWBT, all GTE
3	AccuTel of Texas, Inc. 7900 John W. Carpenter Freeway Dallas, TX 75247	Prepaid	Business and residential 800-687-5700	All SWBT
4	Adelphia Business Solutions Operations, Inc. 121 Champion Way Canonsburg, PA 15317	f	Business only 888-743-2233	Kansas City Area
5	Allegiance Telecom of Missouri 1950 Stemmons Freeway, Suite 3026 Dallas, TX 75207-3118	f	Business only 214-261-8748	St. Louis metro
6	ALLTEL Communications, Inc. One ALLIED Drive P.O. Box 2177 Little Rock, AR 72203	f	Business and residential 800-501-1754	SWBT area of Springfield
7	American Communication Services of Kansas City, Inc. 131 National Business Parkway, Suite 100 Annapolis Junction, MD 20701	f	Business only	Kansas City Metropolitan Exchange: Principal zone, MCA-1 and MCA-2
8	AT&T Communications of the Southwest, Inc. 101 West McCarty, Suite 216 Jefferson City, MO 65101	f	Business and residential 800-264-0218	All SWBT
9	BarTel Communications, Inc. 5223 Delmar Boulevard St. Louis, MO 63108		Business and residential 888-742-0055	All SWBT
10	Birch Telecom of Missouri, Inc. 2020 Baltimore Avenue Kansas City, MO 64108	f	Business only 888-772-4724 (888-77BIRCH)	All SWBT
*	BroadSpan Communications, Inc. see Primary Network Communications			
11	Brooks Fiber Communications of Missouri, Inc. 701 Brazos, Suite 600 Austin, TX 78701	f	Business only Kansas City Metro (816)221-9050 Springfield Metro (417) 866-4442	SWBT areas of KC and Springfield metro
12	BTI (Business Telecom, Inc.) 4300 Six Forks Road, Suite 500 Raleigh, North Carolina 27609	f	Business and residential 919-510-7000	All SWBT

#	Company	Type	Telephone Number	Service Area
*	Business Telecom, Inc. See BTI'			
13	Buy-Tel Communications, Inc. 6409 Colleyville Boulevard Colleyville, TX 76034	Prepaid	Residential only 800-583-8493	All SWBT, all GTE, all Sprint
14	Camarato Distributing, Inc. 900 Camarato Drive Herrin, Illinois 62948	Prepaid	Business and residential 877-639-7466	All SWBT, all GTE
15	Central Missouri Telecommunications, Inc. P.O. Box 596 Osage Beach, Missouri 65065		Business and residential	SWBT exchanges at Lake of the Ozarks
*	Choctaw Communications, L.C. See Smoke Signal Communications			
16	Ciera Network Systems, Inc. 2630 Fountainview, Suite 300 Houston, Texas 77057		Business and residential	All SWBT
*	Comm South Companies, Inc. See Missouri Comm South, Inc.			
17	Computer Business Sciences, Inc. 80-02 Kew Gardens Road, Suite 5000 Kew Gardens, NY 11415	f	Business and residential 800-428-8654	All SWBT
18	The Cube (Tin Can Communications Company, L.L.C.) 1063 Wirt Road, Suite 202 Houston, TX 77005	Prepaid	Business and residential 800-720-7674	All SWBT, all Sprint-MO
19	Delta Phones, Inc. P.O. Box 784 245 Illinois St. Delhi, LA 71232		Business and residential 800-814-8623	All SWBT
20	DMJ Communications, Inc. 2525 North Grandview, Suite 900 Odessa, TX 79761	Prepaid	Business and residential 888-880-0348	All SWBT, all GTE
*	Dobson Wireless, Inc. See Logix Communications Corporation			
21	dPi-Teleconnect, L.L.C. 2997 LBJ Freeway, Suite 225 Dallas, TX 75234	Prepaid	Business and residential 800-687-6727	All SWBT
22	EZ Talk Communications, L.L.C. 4727 South Main Stafford, TX 74777	Prepaid	Business and residential 800-804-6880	All SWBT
*	Fast Connections, Inc. See 1-800-Reconex, Inc.			
*	Feist Long Distance Service, Inc. See Ionex Communications, Inc.			
*	Frontier Local Services, Inc. See Global Crossing Local Services, Inc.			
*	Frontier Telemanagement, Inc. See Global Crossing Telemanagement, Inc.			
23	Gabriel Communications of Missouri, Inc. 16090 Swingley Ridge Road Chesterfield, MO 63017	f	Business only 877-422-2622	St Louis metro, KC metro, Springfield Metro

#	Company	Type	Telephone Number	Service Area
24	Global Crossing Local Services, Inc. (Formerly Frontier Local Services, Inc.) 2710 Executive Drive Green Bay, WI 54307	f	Business only 800-414-1973 314-514-7383	St Louis metro, KC metro
25	Global Crossing Telemanagement, Inc. (Formerly Frontier Telemanagement, Inc.) 2710 Executive Drive Green Bay, WI 54307		Business only 800-414-1973 314-514-7383	All SWBT
26	HJN Telecom, Inc. 3235 Satellite Blvd. Building 400, Suite 300 Duluth, GA 30096		Business and residential 800-345-2214	All SWBT
27	Intermedia Communications, Inc. 3625 Queen Palm Drive Tampa, FL 33619	f	Business only 800-536-6002	SWBT Area of St. Louis Metro
28	Ionex Communications, Inc. 5710 LBJ Freeway, Suite 215 Dallas, TX 75240	f	Business only 972-392-4601 314-646-7522	All SWBT
29	KMC Telecom III, Inc. 3075 Breckinridge Blvd., Suite 415 Duluth, GA 30096		Business only 770-279-1003	All SWBT
30	LDD, Inc. 24 South Minnesota Cape Girardeau, Missouri 63702		Business and residential	All SWBT
31	Level 3 Communications, LLC 1450 Infinite Drive Louisville, CO 80027	f	Business only 303-228-2240	St Louis metro
32	Logix Communications Corporation (Formerly Dobson Wireless, Inc.) 3555 NW 58th, Suite 900 Oklahoma City, OK 73112	f	Business only 888-391-8700 314-434-2200	St Louis metro, KC metro, Springfield metro
33	Maxcom, Inc. 10647 Widmer Road Lenexa, KS 66215		Business only 800-888-3157	All Brooks Fiber, KC and Springfield metro
34	Max-Tel Communications, Inc. P.O. Box 280 102 W. Franklin Alvord, TX 76225	Prepaid	Business and residential 800-583-2289 940-427-2149	All SWBT
35	MCImetro Access Transmission Services, LLC 701 Brazos, Suite 600 Austin, TX 78701	f	Business only 888-624-9266	St Louis metro, KC metro, Springfield metro
36	MCI Worldcom Communications, Inc. (Worldcom, Inc.) 701 Brazos, Suite 600 Austin, TX 78701	f	Business only 800-539-2000	SWBT areas of St. Louis metro KC metro Springfield metro
37	McLeodUSA Telecommunications Services, Inc. P. O. Box 3177 Cedar Rapids, IA 52406	f	Business and residential 800-743-0877	All SWBT
*	MGC Communications, Inc. See Mpower Communications Corp.			

#	Company	Type	Telephone Number	Service Area
38	Missouri Comm South, Inc. (Comm South Companies, Inc.) P.O. Box 821269 6830 Walling Lane Dallas, TX 75382-1269	Prepaid	Business and residential 800-936-5223	All SWBT
39	Missouri Telecom, Inc. P.O. Box 419 515 Cleveland, Suite C Monett, MO 65708		Business and residential 417-235-0111 888-429-0648	Carthage, Joplin, Lamar, Monette, Neosho, Springfield
40	Mpower Communications Corp. (Formerly MGC Communications, Inc.) 175 Sully's Trail, Suite 202 Pittsford, NY 14534	f	Business only 888-777-5802	Local Exchanges: West: Benton, Gladstone, Hiland, Kansas City, Liberty, Parkville, South Kansas City East: Creve Coeur, Ladue, St. Louis
41	Navigator Telecommunications, L.L.C. P.O. Box 8004 Little Rock, AR 72203	f	Business and residential 888-662-8835	All SWBT, all GTE, all Sprint
42	Net-Tel Communications Corporation (Net-Tel Corporation) 1023 31st Street, NW Washington, D.C. 20007		Business and residential 888-263-8835	All SWBT
*	Net-Tel Corporation See Net-Tel Communications Corporation			
*	Nextlink Missouri, Inc. See XO Missouri, Inc.			
43	NOW Communications, Inc. 713 Country Place Drive Jackson, MS 39208	Prepaid	Business and residential 888-565-1011	All SWBT
44	Omniplex Communications Group, LLC (Formerly USA eXchange, LLC) 17 Research Park Drive St. Charles, MO 63304	f	Business and residential 888-462-4782	All SWBT, all of GTE
45	The Pager Company 3030 East Truman Road Kansas City, MO 64127	Prepaid	Business and residential 816-472-4377	All SWBT
46	Payroll Advance 808 South Baker Mountain Home, AR 72643	Prepaid	Business and residential 877-425-4676	SWBT exchanges of Joplin, Kennett, Nevada
47	Phones for All (Teléfonos Para Todos) (Preferred Carrier Services, Inc.) 14681 Midway Road, Suite 105 Dallas, Texas 75244	Prepaid	Business and residential 888-478-0787	All SWBT
*	Preferred Carrier Services, Inc. see Phones for All			
48	Primary Network Communications (BroadSpan Communications, Inc.) 11432 Lackland Road St. Louis, MO 63146	f	Business and residential 800-509-6288 314-214-0000	SWBT areas of KC metro, Springfield metro, St. Louis metro

#	Company	Type	Telephone Number	Service Area
49	QCC, Inc. (Formerly Quest Communications Corporation) 8829 Bond Street Overland Park, KS 66214	Prepaid	Business and residential 8800-688-6424	All SWBT
50	Quick-Tel Communications, Inc. P.O. Box 196 456 W Rock Island Boyd, Texas 76023	Prepaid	800-659-3456	All SWBT
51	Quintelco, Inc. 1 Blue Hill Plaza Pearl River, NY 10965		Business and residential 914-620-0997	All SWBT
52	Qwest Communications Corporation (USLD Communications, Inc.) 4250 N. Fairfax Drive, 12W002 Arlington, VA 22203		Business and residential	All SWBT, all GTE, all Sprint
*	Reconex See 1-800-Reconex			
*	Reitz Rentals, Inc. See SouthWest TeleConnect			
53	Ren-Tel Communications, Inc. 7337 S. Mitchell Ct. Villa Rica, GA 30180	Prepaid	Business and residential 770-830-9991	All SWBT
54	Simply Local Services, Inc. 2225 Apollo Dr. Fenton, MO 63026	Prepaid	Business and residential 800-466-1880	All SWBT
55	Smoke Signal Communications (Choctaw Communications, L.C.) 8400 South Gessner Houston, Texas 77074		Business and residential 800-280-7903	All SWBT
*	Snappy Phone of Texas, Inc. See Snappy Phone			
56	Snappy Phone P.O. Box 29620 6901 West 70th Street Shreveport, LA 71129	Prepaid	Residential only 888-913-9565	All SWBT
57	SouthWest TeleConnect 7000 Cameron Road, Suite 200 Austin, TX 78752-2828	Prepaid	512-450-0328	All SWBT, all GTE, all Sprint
58	Sprint Communications Company, L.P. 5454 West 110th Street Overland Park, KS 66211	f	Business and residential 877-232-7439	SWBT areas of KC Metro and St. Louis Metro
*	Sterling International Funding, Inc. see Reconex			
59	Suretel, Inc. 5 North McCormick Oklahoma City, OK 73127	Prepaid	Business and residential 800-386-5977	All SWBT
60	TCG Kansas City, Inc. Teleport Communications Group Two Teleport Drive Staten Island, NY 10311	f	Business only 718-355-2000	SWBT areas of Kansas City
61	TCG St. Louis Two Teleport Drive, Suite 300 Staten Island, NY 10311	f	Business only 314-569-1551	SWBT areas of St. Louis and eastern out-state Missouri

#	Company	Type	Telephone Number	Service Area
62	Tel Com Plus (United States Telecommunications, Inc.) 5251 110th Avenue, North, Suite 118 Clearwater, FL 33760-4837	Prepaid	Business and residential 800-300-9204 888-332-4033	All SWBT, all GTE
*	Teléfonos Para Todos see Phones for All			
63	Teligent, Inc. 8065 Leesburg Pike, Suite 400 Vienna, VA 22182	f	Business only 800-689-9367	SWBT areas of KC Metro and St. Louis Metro
64	Tel-Link, L.L.C. 1001 Third Avenue West, Suite 354 Bradenton, FL 34205	Prepaid	Business and residential 888-404-LINK	All SWBT, all Sprint
*	Tin Can Communications Company, L.L.C. See Cube, The			
65	TranStar Communications P.O. Box 211807 Bedford, TX 76095	Prepaid	Business and residential 800-700-6071	All SWBT
*	United States Telecommunications, Inc. See Tel Com Plus			
66	Universal Telephone 2405 E. Pawnee, Suite 10 Wichita, KS 67211-5455	Prepaid	Residential only	All SWBT
*	USA eXchange, LLC See Omniplex Communications Group			
*	USLD Communications, Inc. See Qwest Communications Corporation			
67	U.S. Telco, Inc. 4001 McEwen, Suite 200 Dallas, TX 75244	Prepaid	Residential only 888-847-3332	All SWBT
68	Winstar Wireless, Inc. 1615 L Street, NW, Suite 1260 Washington DC 20036	f	Business only 202-863-2890	SWBT areas of KC Metro and St. Louis Metro
69	WorkNet Communications Inc. 7777 Bonhomme Avenue, Suite 2000 St. Louis, MO 63105		Business only	All SWBT
*	Worldcom, Inc. See MCI Worldcom Communications, Inc.			
70	XO Missouri, Inc. (f/k/a Nextlink Missouri, Inc.) 2020 Westport Center Drive Maryland Heights, MO 63146	f	Business only 877-604-9696	SWBT areas of St. Louis metro and vicinity

* = Company is doing business in Missouri under another (e.g., fictitious) name.

f = Facility-based service.

Service List for
Case No. _____
Revised: March 1, 2001 (SW)

Office of the Public Counsel
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Seventy ALECs listed on Appendix A to
Motion for Joinder of Parties