

Lisa C. Creighton (816) 460-2461 I3c@sonnenschein.com 4520 Main Street

Suite 1100 Kansas City, MO 64111 816.460.2400 816.531.7545 fax www.sonnenschein.com

Chicago Kansas City Los Angeles New York San Francisco St. Louis Washington, D.C.

VIA HAND DELIVERY

Mr. Dale Roberts **Executive Secretary** Missouri Public Service Commission 301 West High Street, Suite 530 Jefferson City, Missouri 65101

FILED² JUN \$ 2000 j Missouri Public Service Commission

Re: In the Matter of the Application of Ionex Communications, Inc., for a Certificate of Service Authority to Provide Basic Local Telecommunications Service, for Waiver of Certain Statutory and Regulatory Provisions, And for Designation as a Competitive Telecommunications Company Case No.: TA-2000-600

June 5, 2000

Dear Mr. Roberts:

Enclosed for filing with the Commission is the Motion for Expedited Treatment for Commission's Consideration of Application of Ionex Communications, Inc., For a Certificate of Service Authority to Provide Basic Local Telecommunications Service And for Designation as a Competitive Telecommunications Company. The original and 14 copies of this document will be forwarded by Federal Express for delivery on June 6, 2000.

Thank you for bringing this matter to the attention of the Commission. If you should have any questions, please do not hesitate to contact me.

Very truly yours,

Lisa C. Creighton Comar

LCC:cmw Enclosures

Office of Public Counsel cc: Office of General Counsel Mimi B. MacDonald, Esq.

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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In the Matter of the Application of Ionex Communications, Inc., for a Certificate of Service Authority to Provide Basic Local Telecommunications Service, for Waiver of Certain Statutory and Regulatory Provisions, And for Designation as a Competitive Telecommunications Company.

FILED² JUN \$ 2000 p Missouri Public Vice Commission Case No. TA-2000-600

MOTION FOR EXPEDITED TREATMENT FOR COMMISSION'S CONSIDERATION OF APPLICATION OF IONEX COMMUNICATIONS, INC., FOR A CERTIFICATE OF SERVICE AUTHORITY TO PROVIDE BASIC LOCAL TELECOMMUNICATIONS SERVICE AND FOR DESIGNATION AS A COMPETITIVE TELECOMMUNICATIONS COMPANY

COMES NOW Ionex Communications, Inc. ("Ionex"), by its undersigned counsel, and in support of this Motion to Expedite Commission's Consideration in this docket, states as follows:

INTRODUCTION

1. In this Motion, Ionex requests that its application for a certificate of authority and the approval of the accompanying tariff be placed on the Commission's next Agenda for June 8, 2000. Further Ionex requests that the effective date for the Commission's Order be reduced from ten (10) days to four (4) days. Ionex makes this request to facilitate its immediate entry into the basic local services market. Ionex is prepared today (and hopes to begin on June 12, 2000) to offer such services. Each day this Commission does not act is one less day for competitive benefits to be delivered to the Missouri consumer. Further, Ionex is unaware of any potential negative impact on Ionex's customers or the general public.

2. This motion is being filed on the first business day after Staff's submission of its recommendation for approval of Ionex's basic local tariff. Therefore, it is being filed at the first possible opportunity.

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BACKGROUND

3. On March 25, 2000, Ionex filed its Application for a certificate to provide basic local telecommunications service and a request for approval of the tariff under which it will offer basic local service.

4. On April 4, 2000, this Commission issued an Order giving other providers notice of Ionex's Application.

5. On April 17, 2000, Southwestern Bell Telephone Company ("SWBT") filed a motion to intervene in this docket.

6. On May 9, 2000, the Commission granted SWBT the right to intervene and ordered the parties to file a procedural schedule by May 31, 2000.¹

7. On May 1, May 22, May 24 and May 30, 2000, Ionex filed revised original tariff pages incorporating all changes requested by Staff and incorporating a change requested by SWBT. In these filings, Ionex agreed to extend the effective date of the tariff to June 12, 2000.

8. On May 23, 2000, the parties filed an Unanimous Stipulation and Agreement addressing all issues outstanding in connection with issuance of the Certificate to offer basic local service.

9. On May 25, 2000, Staff filed its recommendations in support of the Unanimous Stipulation and Agreement and granting Ionex's application for authority to provide basic local service. Pursuant to the Stipulation and Agreement, Ionex, Public Counsel and SWBT have five days from the receipt of Staff's Recommendation to file Reply comments. The parties received Staff's recommendation on Friday, May 26, 2000. Therefore, the parties have until June 5, 2000 to file a Reply.

In the May 9, 2000 Order, the Commission initially set June 6, 2000 but subsequently revised that to May 31, 2000 in an Order issued on May 12, 2000.

10. On June 2, 2000, Staff filed its recommendation for approval of Ionex's basic local service tariff.

11. Ionex will not be filing any Reply Comments to Staff's recommendation. Further, the office of Public Counsel and SWBT have been consulted and they will not be filing Reply Comments.

12. Further, all parties except SWBT have agreed to support Ionex's request for a shorter effective period for the Commission's Order of four days. SWBT has stated it takes no position on Ionex's request for a shorter effective date.

13. While Ionex's desires to begin offering competitive services to Missouri customers on June 12, 2000, Ionex realizes that the Commission may need more time to complete its consideration. Therefore, Ionex is willing, if necessary, to extend the effective date on its tariff to June 15, 2000.

CONCLUSION

Based on the above, Ionex respectfully requests that its application for a certificate of authority and approval of corresponding tariff be placed on the Commission's Agenda on June 8, 2000. Further, Ionex requests that both the certificate and the approval of the tariff be effective the same day, with a four-day effective period for the order instead of the normal 10 days.

Respectfully submitted,

Mark P. Johnson, MO Bar No. 30740 Lisa C. Creighton, MO Bar No. 42194 Todd M. McGuire, MO Bar No. 51361 Sonnenschein Nath & Rosenthal 4520 Main Street, Suite 1100 Kansas City, Missouri 64111 (816) 460-2400 (Telephone) (816) 531-7545 (Facsimile)

ATTORNEY FOR APPLICANT IONEX COMMUNICATIONS, INC.

Dated: June <u>5</u>, 2000

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 5th day of June, 2000, a true and correct copies of the above and foregoing was transmitted via facsimile and two copies were forwarded by Federal Express, to:

Office of Public Counsel 301 West High Street Suite 250 Jefferson City, Missouri 65101

With one copy being transmitted via facsimile and forwarded by Federal Express on the same date to:

William K. Haas, Esq. Missouri Public Service Commission 301 West High Street Room 530 Jefferson City, Missouri 65101

Mimi B. MacDonald, Esq. Southwestern Bell Telephone Company One Bell Center, Room 3510 St. Louis, Missouri 63101

ATTORNEY FOR APPLICANT IONEX COMMUNICATIONS, INC.