

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
November 17, 2000**

CASE NO: TA-2000-709

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Paul S. DeFord
Lathrop & Gage, L.C.
2345 Grand Boulevard, Suite 2800
Kansas City, MO 64108

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

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

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line.

Dale Hardy Roberts
Secretary/Chi Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of OnFiber)
Carrier Services, Inc., for Authority to)
Provide and/or Resell Basic Local, and Local)
Exchange and Intrastate Interexchange Telecom-) Case No. TA-2000-709
munications Services in the State of Missouri.)

ORDER GRANTING MOTION TO AMEND APPLICATION AND DIRECTING ADDITIONAL FILING

On April 28, 2000, OnFiber Carrier Services, Inc. (OnFiber), filed an application for authority to provide and/or resell basic local, local exchange and interexchange telecommunications services in the state of Missouri under 4 CSR 240-2.060 on April 28, 2000. The Commission granted OnFiber's Motion to Amend by Interlineation the First Page of the Application on July 28, 2000.

On October 27, 2000, OnFiber filed a second motion to amend the application, asking that the Commission delete its request for authority to provide basic local exchange service. The motion notes that OnFiber has determined that it will not currently seek authority to offer or provide basic local exchange service. For that reason, OnFiber wishes to amend its application to delete all reference to the request for authority to provide basic local exchange service.

OnFiber filed a Motion for Continuation of Procedural Schedule on October 30, 2000, requesting that the procedural schedule be continued for three weeks. OnFiber indicates that it expects that this matter may be resolved by stipulation and agreement.

On November 3, 2000, the Staff of the Missouri Public Service Commission (Staff) filed its response to OnFiber's Motion to Amend the

Application of OnFiber and to the Motion for Continuation of Procedural Schedule. Staff does not oppose the motions. However, Staff indicates that the Motion for Continuation of Procedural Schedule states that a revised stipulation and agreement is being circulated among the parties. Staff notes that an application to provide interexchange telecommunications service does not ordinarily require a stipulation and agreement. Staff states that it can file a memorandum addressing OnFiber's amended application within 15 days of the Motion to Amend the Application being granted by the Commission. However, Staff points out several other defects with OnFiber's application.

Pursuant to 4 CSR 240-2.080(21), "[a]ny pleading may be amended within ten (10) days of filing, unless a responsive pleading has already been filed, or at any time by leave of the commission." Although OnFiber's request to again amend its application was filed more than ten days after its application, the Commission will grant OnFiber leave to amend its application as requested. The Commission also directs that OnFiber shall further amend its application to correct the defects addressed in Staff's November 3, 2000, pleading.

IT IS THEREFORE ORDERED:

1. That the Motion to Amend the Application of OnFiber Carrier Services, Inc. to Delete the Request for Authority to Provide Basic Local Exchange Service, filed October 27, 2000, is granted.

2. That OnFiber Carrier Services, Inc., shall file an amended application correcting the additional defects noted by Staff in paragraph 7 of the Staff's Response to OnFiber Motions, filed November 3, 2000. This amended application shall be filed no later than November 27, 2000.

3. That this order shall become effective on November 27, 2000.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive style with a large initial "D".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Vicky Ruth, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 17th day of November, 2000.

FYI: To Be Issued By Delegate)

Alt/Sec'y: Ruth Pope

11-14
Date Circulated

11-17
Return by 3pm

10am

TA-2000-709
CASE NO.

absent
Lumpe, Chair

absent
Drainer, Vice Chair

absent
Murray, Commissioner

absent
Schemenauer, Commissioner

absent
Simmons, Commissioner

ok

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 17th day of Nov. 2000.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge