

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

March 2, 2000

CASE NO: TM-2000-366

Office of the Public Counsel
P. O. Box 7800
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Enclosed find a certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 2nd
day of March, 2000.

In the Matter of the Joint Application of)	
Southwestern Bell Telephone Company and)	
SBC Advanced Solutions, Inc. for)	<u>Case No. TM-2000-366</u>
Authority to Transfer Assets to SBC)	
Advanced Solutions, Inc.)	

ORDER APPROVING APPLICATION TO TRANSFER ASSETS

Southwestern Bell Telephone Company (SWBT) and SBC Advanced Solutions, Inc. (SBC-ASI) filed a joint application on December 10, 1999, for authority to transfer certain assets from SWBT to SBC-ASI. SWBT and SBC-ASI are both wholly owned subsidiaries of SBC Communications, Inc. Once the proposed transfer takes place, SBC-ASI will utilize the assets that are the subject of the application, along with other assets, to provide both interstate and intrastate advanced services in Missouri. At the same time, SWBT will cease providing those advanced services in Missouri.

On December 10, the applicants filed a joint motion requesting expedited review and approval of its application. SWBT and SBC-ASI requested that their application be approved by March 15, 2000, so that SBC-ASI can begin providing advanced services in Missouri on April 1. In order to comply with the request for expedited consideration, the Commission issued an order on December 14, directing the Staff of the

Public Service Commission (Staff) to file, no later than February 25, a recommendation regarding the application. The order also provided that the Office of the Public Counsel (Public Counsel), could file its recommendation on the same date.

On February 28, Staff filed a recommendation and memorandum accompanied by a Motion to Late File Staff Recommendation. Staff states that this merger and transfer of assets is in response to an FCC mandate and will create separate affiliates to establish some parity between competitive facilities based companies wishing to provide ADSL services. Staff indicated that it has no objection to the proposed transaction and recommends approval of the application. Public Counsel did not file any comments or recommendations.

Staff's recommendation indicates that SWBT has filed a tariff, Tariff File No. 200000352, which will remove the relevant advanced services from its Missouri intrastate tariff. That tariff will become effective on March 8. Therefore, Staff recommends that the Commission approve this application prior to March 8.

The Commission has reviewed the application, the accompanying documentation, and Staff's recommendation and finds that the proposed transfer of assets will have no adverse impact on the Missouri customers of SWBT and SBC-ASI. The Commission finds that the transaction is not detrimental to the public interest and should be approved. Because Staff did not provide its recommendation until February 28, a mere eight days before the requested effective date of March 8, it will be necessary to issue this order with less than the standard ten-day effective date.

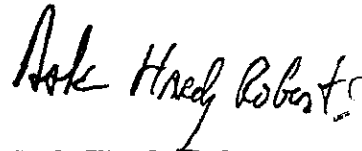
IT IS THEREFORE ORDERED:

1. That the Joint Application filed by Southwestern Bell Telephone Company and SBC Advanced Solutions, Inc., for authority to transfer certain assets from Southwestern Bell Telephone Company to SBC Advanced Solutions, Inc. is approved.

2. That this order shall become effective on March 8, 2000.

3. That this case may be closed on March 9, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Murray,
Schemenauer, and Drainer, CC., concur

Woodruff, Regulatory Law Judge

Atty/Sec'y: Woodruff, Boyce
 Date Circulated 2-29 CASE NO. TM-2000-366
[Signature]
 Kumpé, Chair
[Signature]
 Crumpton, Commissioner
[Signature]
 Murray, Commissioner
[Signature]
 Schemenauer, Commissioner
[Signature]
 Drainer, Vice-Chair
[Signature]
 Agenda Date 3-3
 Action taken: 5-0 AS
 Must Vote Not Later Than _____

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 2nd day of March 2000.

[Signature: Dale Hardy Roberts]

Dale Hardy Roberts
 Secretary/Chief Regulatory Law Judge

