## **BEFORE THE PUBLIC SERVICE COMMISSION**

## **OF THE STATE OF MISSOURI**

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In the Matter of the Application of MVX.COM Communications, Inc. for a Certificate of Service Authority to Provide Basic Local Telecommunications Services and Exchange Access Telecommunications Services in the State of Missouri.

Case No. TA-2000-218

## ORDER GRANTING MOTION TO SUSPEND PROCEDURAL SCHEDULE

MVX.COM Communications, Inc. (MVX.COM) applied to the Missouri Public Service Commission (Commission) on September 7, 1999, for a certificate of service authority to provide basic local, local exchange and exchange access telecommunications services.

The Commission issued a notice and schedule of applicants on September 14, 1999, directing interested parties wishing to intervene to do so by October 14, 1999. On October 7, 1999, Southwestern Bell Telephone Company timely filed its application to intervene which was granted on October 22, 1999. No other entity intervened.

On that same date, the Commission ordered the parties to file a proposed procedural schedule by November 8, 1999. On November 3, 1999, the Staff of the Commission (Staff) filed its motion to suspend the filing of the proposed procedural schedule, asking that the Commission suspend the filing of that schedule until November 16, 1999, affording the parties an opportunity to reach an agreement, or, in the alternative, file a proposed procedural schedule. Staff did not state whether it had contacted the other parties or, if it had contacted them, whether they supported the extension of time. No other party joined in Staff's motion. Commission Rule 4 CSR 240-2.080(12) states: "Parties shall be allowed ten (10) days from the date of filing in which to respond to any motion or other pleading unless otherwise ordered by the commission."

Because the Staff did not state in its motion whether the other parties agreed to the extension, the Commission allowed them the time set forth in the rule to make their positions known. After the expiration of ten days from the date of Staff's filing of its motion (i.e., November 13, 1999), no other party had filed any response.

The Commission will order the parties to file a procedural schedule no later than 3:00 PM on November 16, 1999.

## **IT IS THEREFORE ORDERED:**

1. That the parties shall file a proposed procedural schedule no later than 3:00 PM on November 16, 1999. The procedural schedule shall include dates for the filing of testimony and for a hearing.

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2. That this order shall become effective on November 29, 1999.

BY THE COMMISSION

Ask Hreef Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

(SEAL)

Bill Hopkins, Senior Regulatory Law Judge, by delegation of authority pursuant to 4 CSR 240-2.120(1) (November 30, 1995) and Section 386.240 RSMo 1994.

Dated at Jefferson City, Missouri, on this 15th day of November, 1999.



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COMMISSION COUNSEL PUBLIC SERVICE COMMISSION

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