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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
CAT Communications International, Inc.)
for a Certificate of Service Authority to)
Provide Interexchange and Basic Local) Case No. TA-2000-347
Exchange Telecommunications Services in the)
State of Missouri and to Classify Said)
Services and the Company as Competitive)

ORDER GRANTING SECOND MOTION FOR CONTINUANCE

CAT Communications International, Inc. (CAT) filed an Application with the Missouri Public Service Commission (Commission) on December 8, 1999, for a certificate of service authority to provide telecommunications services. Along with the application, CAT submitted proposed tariff sheets with an effective date of January 25, 2000.

The Commission issued an order on December 14, 1999, directing parties wishing to intervene to file their requests by January 13, 2000. On January 7, 2000, the Small Telephone Company Group filed to intervene and on January 10, 2000, Southwestern Bell Telephone Company filed to intervene; both motions were granted on February 1, 2000.

On December 14, 1999, the Commission issued its notice of deficiency, stating that it could not proceed with this case until CAT complied with the Commission's rules concerning information required to be included in an application. CAT cured the deficiencies on January 14, 2000, by filing its amendment to its application.

On December 22, 1999, CAT submitted two sets of substitute tariff sheets. On January 14, 2000, CAT filed its second amendment to its application for a certificate of service authority, and, *inter alia*, CAT withdrew the two tariffs.

On February 1, 2000, the Commission ordered, *inter alia*, that the parties file a procedural schedule no later than February 16, 2000. Since a procedural schedule had not been filed by February 24, 2000, the Commission entered its notice of default, stating that no further action would be taken on this case until the parties cured the default.

On February 25, 2000, CAT filed its motion for a continuance of the filing of the procedural schedule for thirty (30) days in order to allow time for negotiation of a stipulation and agreement between CAT and the intervenors, which the Commission granted, giving the parties until March 31, 2000, to file a proposed procedural schedule.

No party filed any pleading by the deadline set by the Commission.

On April 4, 2000, CAT filed its "Motion for Continuance of Procedural Schedule," which was actually its second motion for continuance. CAT stated that the parties are still negotiating the stipulation and agreement and that CAT was requesting an additional thirty (30) days extension of time to file a stipulation and agreement between CAT and the intervenors. CAT stated that all the intervenors had been notified and that no party had objected to CAT's requested continuance. CAT also stated that the Staff of the Commission has stated that it will need time to review the final stipulation and

agreement developed by the parties, and, therefore, has no objection to CAT's request for a continuance. CAT also stated that the Office of the Public Counsel has no objection to CAT's request for a continuance.

It should be noted that CAT made no mention of why it had allowed a Commission deadline to pass without filing any pleading relating to that deadline. In fact, CAT's pleading does not even mention the March 31, 2000, deadline. Furthermore, CAT did not request leave to file its motion out of time.

It is apparent that CAT is ill-prepared in this case. The Commission sets deadlines which it expects will be followed or, if not followed, expects that the parties involved will file appropriate pleadings requesting leave not to follow a deadline.

The Commission will grant CAT's motion for a second continuance. However, CAT is admonished to follow known deadlines and other requirements which the Commission may establish.

IT IS THEREFORE ORDERED:

1. That the parties shall file a proposed procedural schedule no later than 3:00 p.m. on May 10, 2000.

2. That this order shall become effective on April 20, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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 10th day of April, 2000.