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ORDER AND NOTICE

1. *Introduction*

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Public Counsel stated that on January 5, 1999, the industry code administrator declared the 816 and 913 NPAs in jeopardy so an allocation plan could be developed to ensure that all NXXs within an NPA were not assigned before the supply of NXXs could be replenished. Public Counsel stated that to replenish the supply of NXXs in both 816 and 913 NPAs, all protected codes must be eliminated.

Public Counsel stated in its application that the industry group recommends the elimination of the protected codes no later than December 4, 1999. The participants in developing the Industry Report included the following entities:

- AT&T
- Citizens Utility Ratepayer Board
- MCIWorldcom
- Lockheed Martin-NANPA
- Southwestern Bell Wireless
- Aerial Communications
- Nextel
- Cellular One
- Mobil Radio Comm.
- Grand River Mutual
- GTE
- Mobilephone
- AT&T Wireless
- Sprint
- Southwestern Bell Telephone Company
- Staff of the Missouri PSC
- Staff of the Kansas Corporation Commission
- Office of the Public Counsel

Public Counsel references the industry group's report which is attached to the application.

Public Counsel stated in its application that the Staff, Public Counsel and the industry group waive hearing on the matter and request expedited action as time is of the essence to begin

technical changes, revise directories and conduct consumer education. No other party has signed the application except Public Counsel.

Proper parties should be given notice and an opportunity to intervene in this matter. The Records Department of the Commission should serve a copy of this order upon all interexchange and local exchange telecommunications companies.

The requirement for a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention, and neither Staff nor Public Counsel files a request for a hearing, the Commission may determine that a hearing is not necessary. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

1. That any interested party wishing to intervene in this case shall file an application to do so no later than April 23, 1999, with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Michael F. Dandino
Senior Public Counsel
Office of the Public Counsel
Post Office Box 7800, Suite 259
Jefferson City, Missouri 65102

2. That the Records Department of the Commission shall send notice to all interexchange and local exchange telecommunications companies.

3. That this order shall become effective on April 23, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly A. Register, 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 April, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION