

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

**July 7, 2000**

**CASE NO: TA-2000-665**

**Office of the Public Counsel**

P.O. Box 7800  
Jefferson City, MO 65102

**Sheldon K. Stock, Esq.**

Greensfelder, Hemker & Gale, P. C.  
2000 Equitable Building  
10 South Broadway  
St. Louis, MO 63102

**Paul G. Lane/Leo J. Bub**

**Anthony K. Conroy/Mimi B. MacDonald**

Southwestern Bell Telephone Company  
One Bell Center, Room 3518  
St. Louis, MO 63101

**General Counsel**

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

**Gerard J. Waldron, Esq.**

**Mary Newcomer Williams, Esq.**

Covington & Burling  
1201 Pennsylvania Avenue, N. W.  
Washington, D.C. 20004-2401

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

**Sincerely,**



**Dale Hardy Roberts**

**Secretary/Chief Regulatory Law Judge**

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of the Application of PathNet, )  
Inc., for a Certificate of Service Authority )  
to Provide Basic Local Telecommunications ) Case No. TA-2000-665  
Service in the State of Missouri and to )  
Classify Said Services and the Company as )  
Competitive. )

**ORDER GRANTING EXTENSION**

PathNet, Inc. (PathNet), applied to the Commission on April 19, 2000, for a certificate of service authority to provide competitive basic local telecommunications service in the state of Missouri pursuant to Sections 392.361, 392.420, 392.430, 392.440, RSMo 1994, and 392.450 and 392.451, RSMo Supp. 1999. PathNet requested competitive classification and an order waiving certain Commission rules and statutory provisions pursuant to the federal Telecommunications Act of 1996. PathNet also filed a Motion for a Protective Order. The Commission issued its Order Granting Protective Order on April 27, 2000.

PathNet seeks to provide its services throughout all exchanges currently served by the incumbent local exchange telecommunications companies of Southwestern Bell Telephone Company (SWBT), Sprint/United Telephone Company (Sprint), and GTE Midwest, Inc. (GTE).

The Commission issued a notice and schedule of applicants on April 25, 2000, directing interested parties wishing to intervene to do so

by May 25, 2000. SWBT filed a timely application to intervene on May 5, 2000. No one else sought to intervene.

The Commission granted SWBT's request to intervene on May 30, 2000, and ordered the parties to file a procedural schedule no later than June 30, 2000. On June 30 2000, PathNet filed a Motion for Extension of Time. PathNet stated that PathNet and SWBT have prepared a draft stipulation and agreement that is being reviewed by the parties and will be submitted to the Commission's counsel for review. PathNet states that it believes the parties will be able to determine whether resolution of this matter is possible without resort to an adversarial proceeding by July 10, 2000.

On this basis, PathNet requests an extension for filing of a procedural schedule or for filing the stipulation and agreement of the parties until July 10, 2000. PathNet states that counsel for Staff and counsel for SWBT concur in the request for extension.

The Commission has reviewed the Motion for Extension of Time and finds that it is reasonable and intended to resolve this matter with the greatest efficiency and conservation of resources of both the Commission and of the parties. The Commission concludes that an extension should be granted.

**IT IS THEREFORE ORDERED:**

1. That the parties shall file a proposed procedural schedule no later than July 10, 2000. In lieu of a proposed procedural schedule, the parties may file a Stipulation and Agreement resolving all of the issues.

2. That this order shall become effective on July 7, 2000.

**BY THE COMMISSION**

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive style with a large, stylized 'D' and 'R'.

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

( S E A L )

Keith Thornburg, Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 1994.

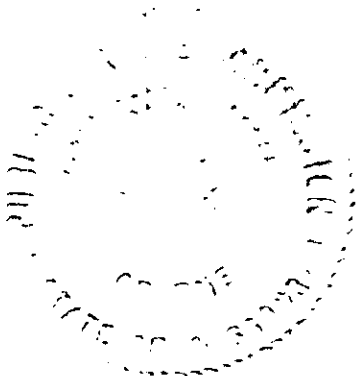
Dated at Jefferson City, Missouri,  
on this 7th day of July, 2000.

**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 7<sup>TH</sup> day of July 2000.



*Dale Hardy Roberts*

---

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