

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

**July 7, 2000**

**CASE NO: TA-2000-661**

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**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 Cox                    )  
Missouri Telecom LLC for a Certificate of                )  
Service Authority to Provide Basic Local                )  
Telecommunications in Portions of the State            )  
of Missouri and to Classify Said Services              )  
and the Company as Competitive.                        )

**Case No. TA-2000-661**

**ORDER GRANTING LEAVE TO AMEND**  
**APPLICATION, GRANTING INTERVENTION,**  
**SETTING A PREHEARING CONFERENCE**  
**AND DIRECTING FILING OF PROCEDURAL SCHEDULE**

On April 17, 2000, Cox Missouri Telecom LLC (Applicant), a Delaware limited liability company authorized to do business in Missouri, filed an application with the Commission seeking authority to provide basic local telecommunications services in portions of the state of Missouri. On May 4, 2000, the Commission issued its Notice of Deficiency and Order Directing Filing; on May 11, Applicant amended its application in compliance with the Commission's order.

On May 16, 2000, the Commission issued its Notice of Applications, setting a deadline of June 15, 2000, for the receipt of applications to intervene. On May 31, Southwestern Bell Telephone Company (SWBT) timely filed an application to intervene. On June 9, 2000, Applicant filed further amendments to its application.

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### **Leave to Amend Application:**

Commission Rule 4 CSR 240-2.080(21) provides that parties may amend their pleadings freely within ten days of filing, and thereafter only with leave of the Commission. On June 9, 2000, Applicant sought to amend its application by adding certain biographical information requested by the Staff of the Missouri Public Service Commission. Although Applicant did not formally move for leave to amend, the Commission will so construe its filing and grant leave.

### **Application to Intervene:**

SWBT filed its Application to Intervene on May 31, 2000. Therein, SWBT states that Applicant proposes to provide basic local telecommunications services in exchanges served by SWBT and in direct competition with SWBT. SWBT also states that its interest is different from that of the general public and that its interest cannot be represented adequately by any other party to this proceeding.

The Commission has reviewed the application to intervene and finds that it is in substantial compliance with Commission rules regarding intervention and that SWBT has an interest in this matter different from that of the general public. The Commission will grant the request for intervention.

### **Prehearing Conference and Proposed Procedural Schedule:**

An early prehearing conference shall be scheduled to afford the parties the opportunity to discuss, define, and possibly resolve the issues presented in this case, and to discuss a procedural schedule. The

Commission will also set a date for the filing of a proposed schedule in order to ensure that this case progresses promptly to resolution.

**IT IS THEREFORE ORDERED:**

1. That Cox Missouri Telecom LLC is granted leave to amend its application.

2. That Southwestern Bell Telephone Company is granted intervention in this case in accordance with 4 CSR 240-2.075(4). The Records Department of the Missouri Public Service Commission shall add Southwestern Bell Telephone Company to the service list for this case: Paul G. Lane, Esq., Leo J. Bub, Esq., Anthony K. Conroy, Esq., and Mimi B. MacDonald, Esq., One Bell Center, Room 3510, St. Louis, Missouri 63101.

3. That a prehearing conference shall be held on July 28, 2000, beginning at 10:00 a.m. The prehearing conference shall be held at the Commission's offices in Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans With Disabilities Act. If you need additional accommodations to participate in this public hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

4. That the parties shall file a proposed procedural schedule no later than August 4, 2000. The procedural schedule shall include dates for the filing of testimony and for an evidentiary hearing.

5. That this order shall become effective on July 18, 2000.

**BY THE COMMISSION**



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

( S E A L )

Kevin A. Thompson, Deputy Chief  
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.

FYI: To Be Issued By Delegation

AL/Sec'y: Thompson / Pope

7-6 Date Circulated      7-11 Return by 3:00pm  
10 a.m.

TA-2000-661  
CASE NO.

<u>[Signature]</u>	Lumpe, Chair
<u>[Signature]</u>	Drainer, Vice Chair
<u>[Signature]</u>	Murray, Commissioner
<u>[Signature]</u>	Schemenauer, Commissioner
<u>[Signature]</u>	Simmons, Commissioner

[Signature]

**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.

[Signature: Dale Hardy Roberts]

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

