

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of)	
Miller Telephone Company and Townes)	
Telecommunications, Inc., for an Order)	
Authorizing Townes Telecommunications,)	<u>Case No. TM-2000-748</u>
Inc., to Purchase or Acquire, Take or Hold)	
All of the Issued and Outstanding Stock of)	
Miller Telephone Company)	

ORDER DIRECTING STAFF TO FURTHER RESPOND
TO REQUEST FOR EXPEDITED RULING

On May 11, 2000, Miller Telephone Company (Miller) and Townes Telecommunications, Inc. (Townes) filed a Joint Application with the Commission, requesting that the Commission authorize Miller and Townes to enter into a stock purchase agreement whereby Townes would purchase all of the issued and outstanding capital stock of Miller. Along with their Joint Application, Miller and Townes filed a Motion to Expedite requesting that the Commission expedite its consideration of the Joint Application so that the transfer of stock can take place by June 30. On June 2, the Staff of the Public Service Commission (Staff) filed a Response to Request for Expedited Ruling that asked the Commission to deny the Motion to Expedite for the following reasons:

- 1) The Motion fails to comply with 4 CSR 240-2.080(17) in that it does not set out with particularity the harm that will be avoided or the benefit that will accrue if the Commission acts by the requested date;

2) The Intervention period ends June 6, and Staff does not know if there will be intervenors, or if any issues will be raised by intervenors; and

3) As part of its own analysis of the transaction Staff will need to do some discovery.

Staff's Response also indicates that it did not become aware of the existence of the Motion to Expedite until June 2, because the Motion to Expedite was not served on the Commission's General Counsel as required by 4 CSR 240-2.080(19).

Although Staff's response requests that the Motion to Expedite be denied, it does not indicate when Staff will be able to prepare a recommendation. Also, the period for intervention established by the Commission expired on June 6, without the filing of any requests for intervention and the absence of intervenors may influence the speed with which the Staff can consider the Joint Application. Staff will be directed to file a further response to the Motion for Expedited Consideration in which it shall provide its best estimate of how quickly it can provide a recommendation to the Commission regarding the Joint Application.

IT IS THEREFORE ORDERED:

1. That no later than June 14, 2000, Staff shall file a further response to the Motion to Expedite filed by Miller Telephone Company and Townes Telecommunications, Inc.

2. That if Miller Telephone Company and Townes Telecommunications, Inc. wish to file any reply to Staff's further response, they shall do so no later than June 19, 2000.

3. That this order shall become effective on June 14, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, 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 7th day of June, 2000.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION