

JL

) **BEFORE THE PUBLIC SERVICE COMMISSION**

OF THE STATE OF MISSOURI

In the Matter of the Application of NewPath)
Holdings, Inc. for a Certificate of Service)
Authority to Provide Switched and Dedicated)
Resold and Facilities-Based Local Exchange)
Telecommunications Services and Facilities-) Case No. TA-2000-491
Based Local Exchange Telecommunications)
Services within the State of Missouri and to)
Classify Said Services and the Company as)
Competitive)

ORDER GRANTING LEAVE TO WITHDRAW INTERVENTION

) NewPath Holdings, Inc. (NewPath) applied to the Missouri Public
Service Commission (Commission) on February 10, 2000, for a certificate
of service authority to provide basic local and local exchange
telecommunications services in Missouri.

The Commission issued a notice and schedule of applicants on
February 22, 2000, directing interested parties wishing to intervene in
the interexchange and nonswitched local exchange service authority of
NewPath's application to do so by March 8, 2000, and in the basic local
and nonswitched local exchange service authority portion of its
application to do so by March 23, 2000.

) On March 3, 2000, Southwestern Bell Telephone Company (SWBT) timely
filed its application to intervene. On March 21, 2000, the Small
Telephone Company Group (STCG) timely filed its application to intervene.

Both applications to intervene were granted on March 24, 2000. No other entity applied to intervene.

On March 22, 2000, NewPath filed its amended application, clarifying the scope and location of its proposed services. NewPath stated that it wished to provide switched and dedicated basic local exchange telecommunications service on a facilities and resold basis, only in those territories within the State of Missouri presently served by SWBT, GTE Midwest Incorporated and Sprint Missouri, Inc. NewPath stated that it will initially provide data transmission services via high-speed, high quality data connections. However, NewPath added, it seeks authority to provide the full range of local exchange and interexchange services in its later service offerings and further reserves the right to expand the territories served.

Due to the amendment in NewPath's application, STCG filed its motion for leave to withdraw its intervention on March 30, 2000. STCG stated that in light of NewPath's amended application and the restriction of its request for service authority to the exchanges of the large incumbent local exchange companies, STCG no longer had an interest in the proceeding sufficient to justify participation. Thus, STCG requested that the Commission grant its motion for leave to withdraw its intervention.

The Commission will grant that motion and allow STCG to withdraw its intervention.

IT IS THEREFORE ORDERED:

1. That the Small Telephone Company Group's motion for leave to withdraw its intervention, filed on March 30, 2000, is granted and the Small Telephone Company Group is allowed to withdraw its intervention.
2. That this order shall become effective on April 14, 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 4th day of April, 2000.