

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
October 28, 1999**

CASE NO: TM-2000-219

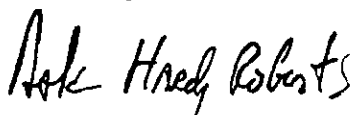
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

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

**Paul G. Lane/Leo J. Bub/Anthony K.
Conroy/Katherine C. Swaller**
Southwestern Bell Telephone Company
One Bell Center, Room 3518
St. Louis, MO 63101

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

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 28th
day of October, 1999.

In the Matter of the Application of)	
Southwestern Bell Telephone Company for)	<u>Case No. TM-2000-219</u>
Authority to Transfer Certain Assets to)	
SBCS Switches, Inc.)	

ORDER GRANTING MOTION FOR REHEARING

Southwestern Bell Telephone Company (SWBT) filed an application on September 7, 1999, for authority to transfer certain assets to SBCS Switches, Inc. Along with its application, SWBT filed a motion requesting expedited review and approval of its application. SWBT requested that its application be approved by December 1, in order that SBC Services can begin providing services on January 1, 2000. In order to comply with SWBT's request for expedited consideration, the Commission issued an Order on September 21, directing the Staff of the Public Service Commission (Staff) to file, no later than November 10, a recommendation regarding SWBT's application. That Order also provided that the Office of the Public Counsel (Public Counsel) could file its recommendations regarding the application on the same day. On October 15, Staff filed a memorandum indicating that it has no objection to the proposed transaction and recommending approval of the application. The Commission issued an Order Approving Application to Transfer Assets on October 21. That order carried an effective date of November 2.

On October 25, Public Counsel filed a Motion for Rehearing. In its Motion, Public Counsel pointed out that by its order of September 21, the Commission had allowed Public Counsel until November 10 to file its recommendations regarding SWBT's Application. By acting on the application without providing Public Counsel the opportunity to file its comments, Public Counsel argued that the public, through the Public Counsel, was denied the opportunity to comment and be heard on this matter.

The Commission has reviewed Public Counsel's Motion for Rehearing and concludes that rehearing should be granted. The Commission will however modify the time within which Public Counsel may file its recommendations. This modification is necessary to allow SWBT and Staff the opportunity to respond to Public Counsel's comments while still permitting the Commission to consider the application prior to December 1, as requested by SWBT.

IT IS THEREFORE ORDERED:

1. That the Office of the Public Counsel's Motion for Rehearing is granted.
2. That the Commission's Order Approving Application to Transfer Assets, issued on October 21, 1999, is set aside.
3. That the Office of the Public Counsel may file its recommendations regarding the Application of Southwestern Bell Telephone Company for Authority to Transfer Certain Assets to SBCS Switches, Inc., no later than November 5, 1999.

4. That if Southwestern Bell Telephone Company and the Staff of the Public Service Commission wish to respond to the comments of the Office of the Public Counsel, they may do so no later than November 12, 1999.

5. That this order shall become effective on November 2, 1999.

BY THE COMMISSION

Dale Hardy Roberts

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

(S E A L)

Lumpe, Ch., Murray, Schemenauer,
and Drainer, CC., concur
Crumpton, C., absent

Woodruff, Regulatory Law Judge

Atty/Sec'y: Woodruff/Boye

Date Circulated 10-27 TM-2000-219
CASE NO.

LF
Lumpke, Chair

abert
Crumpton, Commissioner

mw

MS
Murray, Commissioner

add
Schemenauer, Commissioner

add
Drainer, Vice-Chair

10-28
Agenda Date

Action taken: 4-045

Must Vote Not Later Than _____

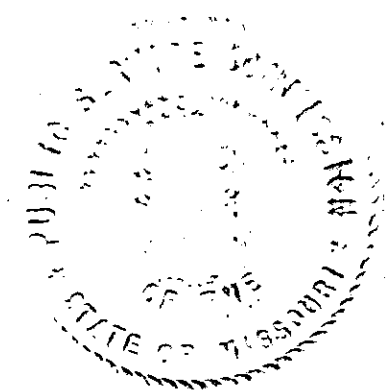
STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION

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 28th day of October, 1999.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge