

MA

Case No. TO-2000-26

ORDER DIRECTING NOTICE

On July 16, 1999, McLeodUSA Telecommunications Services, Inc.

The Act provides that an interconnection agreement must be approved

Although Southwestern Bell is a party to the agreement, it did not

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing or an application to participate without intervention. Participation may be permitted for the limited purpose of filing comments addressing whether this agreement meets the federal standards for approval of interconnection agreements. The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2D 494, 496 (Mo. App. 1989).

Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously and, if there are no requests for a hearing, relief may be granted based on the verified petition. The Commission finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send notice to all interexchange and local exchange telecommunications companies.

2. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than August 23, 1999 with:

Secretary of the Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Mary Ann (Garr) Young
William D. Steinmeier
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Attorneys for Southwestern Bell Telephone Company
One Bell Center, Room 3536
St. Louis, Missouri 63101-1976

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

3. That Southwestern Bell Telephone Company is made a party to this case.

4. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than September 24, 1999.

5. That this order shall become effective on August 12, 1999.

BY THE COMMISSION



(S E A L)

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

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 2nd day of August, 1999.

RECEIVED

AUG 02 1999

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION