

**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

Application of Advanced Communications Group,) )  
 Inc. and Feist Long Distance Service, Inc. ) )  
 for Approval to Assign an Interconnection ) Case No. TO-2000-274  
 Agreement ) )

**ORDER DIRECTING NOTICE AND**

**MAKING SOUTHWESTERN BELL TELEPHONE COMPANY A PARTY**

Advanced Communications Group, Inc. (ACG) and its wholly owned subsidiary, Feist Long Distance Service, Inc. (Feist) (jointly, Applicants), filed a Joint Application with the Missouri Public Service Commission (Commission) on October 13, 1999, for approval of the assignment of an interconnection agreement (Agreement) between ACG and Southwestern Bell Telephone Company (SWBT) under the provisions of the Federal Telecommunications Act of 1996 (the Act) approved in case number TO-99-291. Applicants state that because of changes in its business plans, ACG has elected to focus on its directory publishing business and plans to exit the telecommunications business. Applicants state that for this reason, ACG no longer requires the Agreement and thus Applicants request that the Commission approve the assignment of the Agreement, to Feist. Applicants state that the proposed assignment will not alter any terms of the Agreement.

Section 252(i) of the Act states:

A local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved under this section to which it is a party to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement.

Although SWBT is a party to the Agreement, it did not join in the application. The Commission will make SWBT a party to this case.

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. 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).

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 November 12, 1999 with:

Dale Hardy Roberts, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri, 65102

and send copies to:

Mary Ann Young, Esq.  
William D. Steinmeier, P.C.  
P.O. Box 104595  
Jefferson City, Missouri 65110-4595

Legal Department  
Southwestern Bell Telephone  
One Bell Center, Room 3536  
Saint Louis, Missouri 63101

and:

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

3. That the Staff of the Commission shall file a memorandum advising either approval or rejection of the proposed assignment and giving the reasons therefor no later than December 9, 1999.

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

5. That this order shall become effective on November 1, 1999.

BY THE COMMISSION



Dale H. Roberts  
Chief Regulatory Law Judge/Secretary

(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 22nd day of October, 1999.

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION