BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)	
Essential.com, Inc. for a Certificate)	
of Service Authority to Provide Basic)	Case No. TA-2000-484
Local Telecommunications Services in)	
Portions of the State of Missouri)	

ORDER GRANTING INTERVENTION AND DIRECTING FILING OF PROCEDURAL SCHEDULE

Essential.com, Inc. (Essential.com) filed an application with the Missouri Public Service Commission (Commission) on February 8, 2000, for a certificate of service authority to provide resold basic local telecommunications service in portions of the state of Missouri and for competitive classification.

The Commission issued a notice of applications for basic local and nonswitched local exchange certificates of service authority and opportunity to intervene on February 15, 2000, directing parties wishing to intervene to file their requests by March 16, 2000.

Southwestern Bell Telephone Company (SWBT) filed a timely application to intervene on February 22, 2000. SWBT states that it is a Missouri corporation duly authorized to conduct business in Missouri. SWBT states that it is a "local exchange telecommunications company" and a "public utility," as each of those phrases is defined in Section 386.020, RSMo, and is authorized to provide telecommunications services

in Missouri. SWBT states that Essential.com's telecommunications services will be offered in direct competition with SWBT Essential.com's application is granted. SWBT also states that it has a direct interest in the Commission's decision on Essential.com's application, but that SWBT does not have sufficient information either to support or oppose Essential.com's application. SWBT further states interests as provider of basic local telecommunications service differ from those of the general public so that no other party can adequately protect SWBT's interest. SWBT states that its intervention is in the public interest because SWBT will bring its extensive expertise and experience as a telecommunications provider.

The Commission has reviewed the application of SWBT and finds that it is in substantial compliance with Commission rules regarding intervention (i.e., Commission Rule 4 CSR 240-2.075) and that SWBT has an interest in this matter that is different from that of the general public. The Commission concludes that this request for intervention should be granted and that the parties should file a proposed procedural schedule. The procedural schedule shall include dates for the filing of testimony and for a hearing. If no party requests a hearing, the Commission may grant the service authority and competitive classification requested without a hearing. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

- 1. That Southwestern Bell Telephone Company is granted intervention in this case in accordance with Commission Rule 4 CSR 240-2.075(4).
- 2. That the parties shall file a proposed procedural schedule no later than April 19, 2000. The procedural schedule shall include dates for the filing of testimony and for a hearing.
 - 3. That this order shall become effective on March 30, 2000.

BY THE COMMISSION

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Secretary/Chief Regulatory Law Judge

(SEAL)

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 20th day of March, 2000.