

owed it and has promised to make further payments in the future, all in satisfaction of MTCC's complaint.

Commission Rule 4 CSR 240-2.116(1) affords complainants an absolute right to dismiss their complaints prior to the filing of prepared testimony or the taking of oral evidence. As neither prepared testimony nor oral evidence has yet been offered or filed in this matter, MTCC's dismissal is effective upon filing. There being now no case in which to intervene, SWBT's application must be dismissed as moot.

IT IS THEREFORE ORDERED:

1. That Southwestern Bell Telephone Company's application to intervene in this case in accordance with 4 CSR 240-2.075 is denied as moot.
2. That this order shall be effective on August 27, 1999.
3. That this case may be closed on August 30, 1999.

BY THE COMMISSION



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

(S E A L)

Kevin A. Thompson, Deputy Chief 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 17th day of August, 1999.

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**COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION**