BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of AT&T)		÷
Communications of the Southwest, Inc., for)	Case No.	TO-99-260,
a Variance from Certain Provisions of the)	et al.	
Emergency Rule Governing Change of Service)		
Providers.)		•

ORDER DIRECTING RESPONSE AND GRANTING LEAVE TO WITHDRAW

On December 8, 1998, AT&T Communications of the Southwest, Inc. (AT&T), filed an application for a variance from portions of the emergency rule 4 CSR 240-33.150, governing change of AT&T's application was assigned Case No. TO-99-260. December 18, 1998, the Staff filed its response to AT&T's application December 31, 1998, MCI Telecommunications Corporation (MCI), MCImetro Access Transmission Services, (MCImetro), MCImetro Access Transmission Services, LLC (MCImetro LLC), and Teleconnect Distance Services Long Systems Company (Teleconnect), all MCI WorldCom companies, also filed an application for variance from Commission Rule 33.150(7). This application was assigned Case No. TO-99-290.

On February 10, 1999, the Commission consolidated Case Nos. TO-99-260 and TO-99-290, and designated Case No. TO-99-260 as the lead case. The Office of the Public Counsel filed, on February 11, 1999, objections to the requests for variances.

On March 19, 1999, Edward J. Cadieux filed a Withdrawal of Appearance on behalf of MCI Telecommunications Corporation, MCImetro Access Transmission Services, LLC f/k/a MCImetro Access Transmission Services, Inc., and Teleconnect Services and Systems Company. On the same date, Stephen F. Morris filed his Entry of Appearance for these companies.

1999, following companies filed April 12. the Application to Intervene and Join in MCI WorldCom Companies' Application for Variance: Brooks Fiber Communications of Missouri, (Brooks), Metropolitan Fiber Systems of Kansas City, Missouri, Inc. (MFS Kansas City), Metropolitan Fiber Systems of St. Louis, (MFS St. Louis), TTI National, Inc. (TTI), Touch 1 Long Distance, Inc. (Touch 1), BLT Technologies, Inc. (BLT), WorldCom Network Services, Inc. (WorldCom Network), and WorldCom Technologies, Inc. (WorldCom Technologies), all MCI WorldCom companies. The Commission granted intervention to these companies on May 24, 1999.

On May 6, 1999, the Commission filed, in Case No. TX-99-158, a final Order of Rulemaking with the Secretary of State's office which withdrew the proposed rule at issue, 4 CSR 240-33.150. Although the proposed rule has been withdrawn, the emergency rule remains in effect until June 29, 1999. Although the Commission intends to file a new slamming rule in the near future, any future filing will be significantly different from the withdrawn proposed rule and the current emergency slamming rule and will be filed in a separate case.

The Commission determines that since it has withdrawn the proposed rule and the emergency rule will expire on June 29, 1999, the

parties shall have ten days to show cause as to why this case should not be closed.

IT IS THEREFORE ORDERED:

- 1. That on or before July 2, 1999, any party may file a response to the Commission's intent to close this case.
- 2. That leave is granted to Edward J. Cadieux to withdraw as counsel on behalf of MCI Telecommunications Corporation, MCImetro Access Transmission Services, LLC f/k/a MCImetro Access Transmission Services, Inc., and Teleconnect Services and Systems Company, as noted in the Withdrawal of Appearance filed March 19, 1999.
 - 3. That this order shall become effective on June 22, 1999.

BY THE COMMISSION

Hole Hosely Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(SEAL)

Vicky Ruth, 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 June, 1999.

COMMISSION SANGERON