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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 12th
day of November, 1997.

In the Matter of an Investigation)
into the Provision of Internet)
Access in Missouri.)

Case No. TW-98-155

ORDER ESTABLISHING DOCKET

The Commission established a case to investigate the provision of community optional calling service (COS) on March 7, 1997. See In re: An Investigation into the Provision of Community Optional Service in Missouri, Case No. TW-97-333. The participants to that case brought to the Commission's attention the fact that COS was being used as an alternative resource for access to the Internet.

On October 16, 1997, the Commission issued its Report and Order in Case No. TW-97-333 and terminated the use of COS in the State of Missouri. Within that order, the Commission stated:

The Commission is concerned with the use of COS for Internet access as shown by the evidence in this case. At the time COS was designed, the Internet was virtually unheard of and COS was not designed as a means of access to the Internet. In order to address these concerns, the Commission will open Case No. TW-98-155 to review other possible solutions for Internet access.

The Commission will docket this case as an exercise of its quasi-legislative powers so that it may encourage and facilitate new opportunities for the citizens of Missouri to access the Internet. The Commission recognizes the importance of the Internet as a tool for both education and communication and urges the participants to this case to propose tariff revisions or the implementation of technological advances

which may develop and promote widespread and affordable access to the Internet.

Any entity interested in participating in this docket shall file a "Notice of Participation." Representation by a licensed attorney is not a prerequisite to participation in a case of this type. At the conclusion of the period for registration of interested participants, the Commission will publish a list of all active participants for the purpose of providing service of documents on all participants.

Thereafter, the Commission shall convene a prehearing conference for the purpose of developing proposals which may be addressed in this case. At that time the participants shall provide proposals for the time and location of local public hearings so that the Commission may schedule meetings with the public without delay.

This is not a procedure which by law requires a hearing, but the Commission anticipates that one may be convened for the final presentation of the positions of the participants and recommendations based upon public comments. This hearing would also provide an opportunity for the Commissioners to question the appropriate participants and their witnesses.

The participants to this case shall be expected to comply with the Commission's pleading and practice requirements as set out in 4 CSR 240-2.010 *et seq.* All filings and documents in this case shall be served upon every other participant simultaneous with their filing with the Commission.

To ensure extensive dissemination of this order, the Commission will direct the Records Department to send a copy of this order to every certificated local exchange company and every certificated interexchange carrier in the State of Missouri. In addition, the Commission will direct its Information Office to send a copy of this order to all Members of the

General Assembly and to all newspapers in the State of Missouri as listed in the Newspaper Directory of the *Official Manual of the State of Missouri*.

IT IS THEREFORE ORDERED:

1. That Case No. TW-98-155 is established for the purpose of investigating Internet access.

2. That notice of this order shall be issued by the Information Office and the Records Department as set out herein.

3. That any interested participant shall file its "Notice of Participation" not later than December 12, 1997. Every such notice shall list the participant's name, address, telephone number, fax number, and the interest which this participant has in this case.

4. That all participants shall appear for a prehearing conference at the Commission's offices on the 5th floor of the Harry S Truman Building, Jefferson City, Missouri, on January 6, 1998.

5. Any persons with special needs as addressed by the Americans With Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services' Hotline -- 1-800-392-4211 or TDD Hotline -- 1-800-829-7541.

6. That all participants shall file proposed Internet access solutions and direct testimony in support of those positions not later than 3:00 p.m. January 27, 1998.

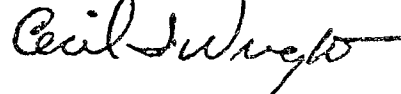
7. That any participant who wishes to file a revised position along with rebuttal testimony shall do so not later than 3:00 p.m. February 17, 1998.

8. That the Staff of the Missouri Public Service Commission shall file an Issues Memorandum which sets out the proposals and positions of the

various participants to this case. Such Issues Memorandum shall be filed not later than February 20, 1998. Every participant to this case shall submit its proposals and a concise statement of its position on each proposal with the Staff not later than 3:00 p.m. on February 17, 1998. The Staff in assembling this document may present the Issues Memorandum in the form of a chart so as to set out briefly each participant's position. Staff, and all participants, are encouraged to include appendices in which technical terms are defined and such other explanatory or demonstrative material as they may deem appropriate.

9. That this order shall become effective on November 12, 1997.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Cecil I. Wright", written over the printed name.

**Cecil I. Wright
Executive Secretary**

(S E A L)

Lumpe, Ch., Crumpton,
Murray, and Drainer, CC., Concur.

Roberts, Chief Regulatory Law Judge