

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Brooks Fiber)
Communications of Kansas City, Inc., for Certificates)
of Service Authority to Provide Basic Local Telecom-)
munications Services, Local Exchange Telecommunications)
Services, Exchange Access Services, and Interexchange)
Telecommunications Services in the State of Missouri,)
and to Classify the Company and Its Services as)
Competitive.)
)

Case No. TA-96-438

ORDER AND NOTICE

On June 17, 1996, Brooks Fiber Communications of Kansas City, Inc. (Brooks) filed an application requesting the Commission grant a certificate of service authority to provide basic local exchange service, a certificate of service authority to provide local exchange service, and a certificate of service authority to provide interexchange service. Brooks requests that it be authorized to provide basic local exchange service throughout the service areas of GTE Midwest Incorporated, Southwestern Bell Telephone Company and United Telephone Company of Missouri. It requests that it be authorized to provide local exchange service and interexchange service throughout the state of Missouri. Brooks requests a waiver of the requirement of a forty-five (45) day tariff in 4 CSR 240-2.060(4)(H) and seeks classification of its services as competitive. Brooks also requests the waiver of the statutes and rules which the Commission has granted for all competitive interexchange carriers.

The Commission finds that notice of this application should be sent to the companies which receive notice of applications for certificates of interexchange service authority and an intervention date set. The Commission finds that persons intervening should address Brooks' waiver requests and the federal preemption of Section 392.450, R.S.Mo. 1994.

IT IS THEREFORE ORDERED:

1. That notice of this application shall be sent as described in this order.

2. That applications to intervene shall be filed on or before July 25, 1996, with the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies sent to:

Carl J. Lumley
Leland B. Curtis
Curtis, Oetting, Heinz, Garrett & Soule, P.C.
130 South Bemiston, Suite 200
Clayton, Missouri 63105

Edward J. Cadieux
Brooks Fiber Communications of Kansas City, Inc.
425 Woods Mill Road South, Suite 300
Town and Country, Missouri 63017

3. That persons filing applications to intervene should address Brooks Fiber Communications of Kansas City, Inc.'s requests for waivers and the federal preemption of Section 392.450, R.S.Mo. 1994.

4. That this order shall become effective on the date hereof.

BY THE COMMISSION



**David L. Rauch
Executive Secretary**

(S E A L)

Cecil I. Wright, Chief Administrative Law Judge, by delegation of authority under Commission Directive of January 3, 1995, pursuant to Section 386.240, R.S.Mo. 1994.

Dated at Jefferson City, Missouri, on this 25th day of June, 1996.