

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
December 28, 1999**

**CASE NO: TO-2000-376**

**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

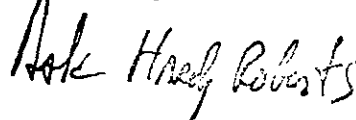
**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Tracy D. Pagliara, Esq.**  
GTE Midwest Incorporated  
601 Monroe, Suite 304  
Jefferson City, MO 65101

**Eileen Singleton**  
EZ Talk Communications, LLC  
4727 South Main  
Stafford, TX 77477

**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**Sincerely,**



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

**Uncertified Copies:**

**To all interexchange and local exchange telecommunications companies in the State of Missouri.**

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

In the Matter of the Application of GTE Midwest )  
Incorporated and GTE Arkansas Incorporated for )  
Approval of Interconnection Agreement With ) Case No. TO-2000-376  
EZ Talk Communications, LLC, Pursuant to Sec- )  
tion 252(e) of the Telecommunications Act of )  
1996. )

**ORDER DIRECTING NOTICE AND**  
**ADDING A PARTY**

On December 21, 1999, GTE Midwest, Inc. (GTE Midwest), and GTE Arkansas, Inc. (GTE AR) (collectively, GTE), filed an application with the Commission seeking approval of an interconnection agreement with EZ Talk Communications, LLC (EZ Talk), under the provisions of the federal Telecommunications Act of 1996 (the Act). Although EZ Talk is a party to the interconnection agreement, it did not join in the application. Because EZ Talk is a necessary party to a full and fair adjudication of this matter, the Commission will add EZ Talk as a party to this case.

The Act provides that an interconnection agreement must be approved unless the state commission finds that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement is not consistent with the public interest, convenience and necessity. 47 U.S.C. § 252(e).

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing

or an application to participate without intervention. Participation may be permitted for the limited purpose of filing comments addressing whether this agreement meets the federal standards for approval of resale agreements. The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d, 494, 496 (Mo. App. 1989).

Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously and, if there are no requests for a hearing, relief may be granted based on the verified petition. The Commission finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

**IT IS THEREFORE ORDERED:**

1. That the Records Department of the Commission shall send notice to all interexchange and local exchange telecommunications companies.
2. That EZ Talk Communications, LLC, is made a party to this case.
3. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than January 18, 2000, with:

Dale Hardy Roberts, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

and send copies to:

Tracy D. Pagliara, Esq.  
GTE Service Corporation  
601 Monroe Street, Suite 304  
Jefferson City, Missouri 65101

Eileen Singleton  
EZ Talk Communications, LLC  
4727 South Main  
Stafford, Texas 77477

and:

Office of the Public Counsel  
Post Office Box 7800  
Jefferson City, Missouri 65102

4. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than February 29, 2000.

5. That this order shall become effective on January 7, 2000.

**BY THE COMMISSION**



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

( S E A L )

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 28th day of December, 1999.

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

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson  
City, Missouri, this 28<sup>th</sup> day of December 1999.

*Dale Hardy Roberts*

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

