

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY**

**June 15, 2000**

**CASE NO: TA-2000-591**

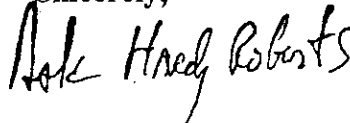
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**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

Sincerely,



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

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 15th  
day of June, 2000.

In the Matter of the Application of )  
Mark Twain Communications Company for )  
Designation as a Telecommunications )  
Company Carrier Eligible for Federal ) Case No. TA-2000-591  
Universal Service Support Pursuant to )  
Section 254 of the Telecommunications )  
Act of 1996 )

**ORDER DESIGNATING MARK TWAIN COMMUNICATIONS COMPANY**

**AN ELIGIBLE CARRIER**

Mark Twain Communications Company (Mark Twain) filed an application on March 22, 2000, requesting designation as an eligible telecommunications carrier pursuant to Section 254 of the Telecommunications Act of 1996 and Federal Communications Commission regulations 47 CFR 54.201 et seq. Mark Twain states that it provides the services supported by federal universal service support using a combination of its own facilities and leased facilities, and advertises the availability of these services.

The Commission gave notice and an opportunity to intervene to all certificated Missouri local exchange and interexchange carriers. No entity moved to intervene or requested a hearing. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. State

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ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission,  
776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has asked permission  
to intervene or requested a hearing, the Commission may grant the relief  
requested based on the application.

On May 12, 2000, the Staff of the Commission (Staff) filed its  
recommendation. Staff stated that it had reviewed Mark Twain's  
application and determined that Mark Twain meets each of the provisions  
of Federal Communications Commission regulations 47 CFR 54.201(d). Staff  
recommends that the Commission grant the relief requested in the  
application. Staff notes that Mark Twain will be the first competitive  
local exchange carrier to be designated an eligible carrier.

The Commission has reviewed the application and the Staff  
recommendation, and finds that Mark Twain has met the requirements to be  
designated as a telecommunications carrier eligible to receive federal  
universal service support. The Commission will grant the relief  
requested in Mark Twain's application.

**IT IS THEREFORE ORDERED:**

1. That Mark Twain Communications Company is eligible under the  
provisions of 47 CFR 54.201(d) to receive federal universal service fund  
support.

2. That this order shall become effective on June 27, 2000.

**BY THE COMMISSION**



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

(S E A L)

Lumpe, Ch., Drainer, Murray, Schemenauer,  
and Simmons, CC., concur

Mills, Deputy Chief Regulatory Law Judge

Att/Sec'y: Mills/Boyer

Date Circulated 6-7 CASE NO. TA-2000-591

HR  
Lumpke, Chair

MDP  
Drauner, Vice-Chair

CM  
Murray, Commissioner

BS  
Schemenauer, Commissioner

KS  
Simmons, Commissioner

Agenda Date 6-15

Action taken: 5-OAS

Must Vote Not Later Than \_\_\_\_\_

**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 15<sup>th</sup> day of June 2000.

Dale Hardy Roberts

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

