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H. 344

At a session of the Public Service Commission held at its office in Jefferson City on the 9th day of May, 2000.

In the Matter of an Investigation for the)
Purpose of Clarifying and Determining Certain)
Aspects Surrounding the Provisioning of Metro-) Case No. TO-99-483
politan Calling Area Service After the Passage)
and Implementation of the Telecommunications)
Act of 1996.)

ORDER GRANTING MOTIONS TO ACCEPT TESTIMONY OUT OF TIME
AND SUBSTITUTING PARTIES

The Commission granted MCI Telecommunications Corporation and MCImetro's joint request for participation without intervention on May 26, 1999. On July 6, 1999, in Case No. TM-99-588, the Commission issued an order approving a merger and transfer of assets of the retail operations of MCI Telecommunications Corporation to WorldCom Technologies, Inc. In that same order the Commission approved the name change of WorldCom Technologies, Inc. to MCI WorldCom Communications, Inc. and approved the name change of MCI Telecommunications Corporation to MCI WorldCom Network Services.

On January 6, 2000, MCI WorldCom Network Services, Inc., f/k/a MCI Telecommunications Corporation, and MCImetro Access Transmission Services, LLC, filed a motion requesting that the Commission allow the substitution of parties. The movants state that because of the Commission's order in Case No. TM-99-588, the proper participant in this proceeding is MCI WorldCom Communications, Inc.

On January 11, 2000, MCI WorldCom Communications, Inc. filed its consent to the motion to substitute parties. No objections to the substitution were filed. Therefore, the Commission will substitute the participants as requested.

On February 2, 2000, McLeodUSA Telecommunications Services, Inc. (McLeodUSA) filed a Motion to Accept Testimony Out of Time. In its motion, McLeodUSA stated that "due to difficulties in electronic transmission", the Direct Testimony of McLeodUSA witness Michael Starkey was filed approximately 40 minutes later than the 3:00 p.m., February 1, 2000, deadline set in the Commission's procedural order. McLeodUSA indicated that all parties were served in a timely manner and none should have been prejudiced by the delay. No objections to the motion to file out of time were received. Therefore, the Commission will grant McLeodUSA's motion to file out of time.

On February 2, 2000, ALLTEL Missouri, Inc., Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Inc., Grand River Mutual Telephone Corporation, Lathrop Telephone Company, Green Hills Telephone Company, and Orchard Farm Telephone Company (collectively referred to as "Movants") filed a Motion to Accept Filing of Direct Testimony Out of Time. Movants stated that "[d]ue to a scheduling oversight" the Direct Testimony of Kenneth M. Matzdorff was filed out of time. Movants stated that the testimony was filed on the morning of February 2, 2000, and all parties were served on that date. Movants state that no party should have been prejudiced by the delay. No objections to

the motion to file out of time were received. Therefore, the Commission will grant the Movants' motion to file out of time.

IT IS THEREFORE ORDERED:

1. That MCI WorldCom Communications, Inc. is substituted for MCI WorldCom Network Services, Inc., f/k/a MCI Telecommunications Corporation as a participant without intervention in this proceeding.

2. That the Motion to Accept Testimony Out of Time filed by McLeodUSA Telecommunications Services, Inc., on February 2, 2000, is granted.

3. That the Motion to Accept Filing of Direct Testimony Out of Time filed by ALLTEL Missouri, Inc., Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Inc., Grand River Mutual Telephone Corporation, Lathrop Telephone Company, Green Hills Telephone Company, and Orchard Farm Telephone Company, on February 2, 2000, is granted.

4. That this order shall become effective on May 15, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Murray, and
Schemenauer, CC., concur.
Crumpton, C., absent.

Dippell, Senior Regulatory Law Judge