

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

March 7, 2002

CASE NO: TO-2001-467

Office of the Public Counsel

P.O. Box 7800
Jefferson City, MO 65102

**Paul G. Lane/Anthony K. Conroy
Southwestern Bell Telephone Company**

One Bell Center Room 3520
St Louis, MO 63101

**Kevin K. Zarling
AT&T Communications of the Southwest**

919 Congress, Suite 900
Austin, TX 78701

**David J. Stueven
IP Communications Corporation**

6405 Metcalf, Suite 120
Overland Park, KS 66202

**Michael C. Sloan
Swidler Berlin Shereff Friedman, LLP**

3000 K Street, NE, Suite 300
Washington, DC 20007-5116

**Paul H. Gardner
Goller, Gardner & Feather**

131 East High Street
Jefferson City, MO 65101

**Carl J. Lumley/Leland B. Curtis
Curtis, Oetting, Heinz, Garrett & Soule**

130 S. Bemiston, Suite 200
St. Louis, MO 63105

General Counsel

Missouri Public Service Commission

P.O. Box 360
Jefferson City, MO 65102

Thomas R. Parker

Verizon
601 Monroe Street, Suite 304
Jefferson City, MO 65101

**Steve Weber
AT&T Communications of the Southwest**

101 W. McCarty, Ste. 216
Jefferson City, MO 65101

**Mary Ann Young
William D. Steinmeier, P.C.**

2031 Tower Drive, P.O. Box 104595
Jefferson City, MO 65110-4595

**Lisa Creighton Hendricks
Sprint Communications Company, L.P.**

5454 West 110th Street
Overland Park, KS 66211

**Lisa Chase
Andereck, Evans, Milne, Peace, Baumhoer**

700 East Capitol
Jefferson City, MO 65102-1438

**Carol Keith
NuVox Communications of Missouri, Inc.**

16090 Swingley Ridge Road, Suite 500
Chesterfield, MO 63017

Sheldon K. Stock
Greensfelder, Hemker & Gale, P.C.
10 South Broadway, Suite 2000
St. Louis, MO 63102-1774

Stephen F. Morris
MCI WorldCom Communications, Inc.
701 Brazos, Suite 600
Austin, TX 78701

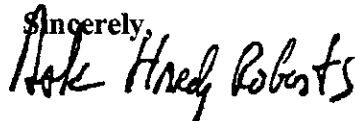
Rebecca B. DeCook
AT&T Communications of the Southwest
1875 Lawrence Street, Ste. 1575
Denver, CO 80202

Bradley R. Kruse
McLeodUSA Telecommunications Services
6400 C Street, SW, PO Box 3177
Cedar Rapids, IA 52406-3177

Mr. Posner
Counsel for Allegiance Telecom Missouri
1150 Connecticut Ave. NW, #206
Washington, DC 20036

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 7th day of
March, 2002.

In the Matter of the Investigation of the State of)
Competition in the Exchanges of Southwestern Bell) **Case No. TO-2001-467**
Telephone Company.)

ORDER DENYING APPLICATIONS FOR REHEARING

This order denies the applications for rehearing.

On December 27, 2001, the Commission issued a Report and Order with an effective date of January 6, 2002. On January 4, 2002, Southwestern Bell Telephone Company, the Office of the Public Counsel, and jointly, NuVox Communications of Missouri, Inc., MCI metro Access Transmission Services, LLC, Brooks Fiber Communications of Missouri, Inc., and MCI WorldCom Communications, Inc. (jointly referred to as NuVox) filed applications for rehearing.

NuVox filed a response to Southwestern Bell's Application on January 9, 2002, and filed a further reply on January 18, 2002. Southwestern Bell filed a response to NuVox's application and to Public Counsel's application on January 14, 2002. Southwestern Bell filed a further reply on January 22, 2002.

Section 386.500, RSMo Supp. 2001, provides that the Commission shall grant an application for rehearing if "in its judgment sufficient reason therefor be made to appear." The arguments raised by Southwestern Bell, Public Counsel, and NuVox simply restate the arguments that were previously presented to the Commission and rejected in the Report

and Order. In the judgment of the Commission, Southwestern Bell, Public Counsel, and NuVox have failed to establish sufficient reason to grant their applications for rehearing.

IT IS THEREFORE ORDERED:

1. That the Application for Rehearing filed by Southwestern Bell Telephone Company is denied.

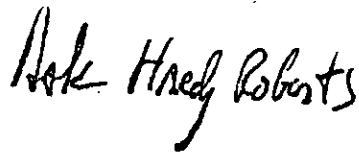
2. That the Application for Rehearing filed by the Office of the Public Counsel is denied.

3. That the Application for Rehearing filed by NuVox Communications of Missouri, Inc., MCI metro Access Transmission Services, LLC, Brooks Fiber Communications of Missouri, Inc., and MCI WorldCom Communications, Inc. is denied.

4. That this order shall become effective on March 7, 2002.

5. That this case may close on March 8, 2002.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Simmons, Ch., Murray, and
Lumpe, CC., concur.
Gaw, C., dissents.
Forbis, C., absent.

Dippell, Senior Regulatory Law Judge

ALS/Secretary: Daphne L. Joyce
Date Circulated 2-27 TO-2001-467
CASE NO.
KS
Simmons, Chair
Am
Murray, Commissioner
ST
Lumpé, Commissioner
7/6 - No
Gaw, Commissioner
For - ahead
Forbis, Commissioner
3-7
Agenda Date
Action taken: 3-1 - "AS"
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 7th day of March 2002 .

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

