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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 5th  
day of October, 1999.

In the Matter of Approval of QCC, Inc.'s        )  
IntraLATA Dialing Parity Plan                    )     Case No. TA-2000-14

ORDER DISMISSING CASE

On July 7, 1999, QCC, Inc. (QCC) filed an application for approval of its intraLATA dialing parity (ILDLP) plan. In an order issued March 23, 1999, the Federal Communications Commission (FCC) set forth a timetable for ILDP plan approval in which it took jurisdiction over ILDP plans if state commissions have not acted on them before June 22, 1999. The Commission did not take action on QCC's plan before June 22, 1999, because QCC did not file it until July 7, 1999. Thus it appears that the FCC and not this Commission has jurisdiction over QCC's ILDP plan.

By order issued July 22, 1999, the Commission required QCC to explain what authority the Commission has to approve or disapprove its ILDP plan, and to address why it believes, in light of the FCC's March 23 order, that this Commission has jurisdiction over its plan.

On August 30, 1999, QCC responded to the July 22, 1999 order. QCC states that it believes the Commission has jurisdiction pursuant

to the general grant of authority in Section 386.320<sup>1</sup> and two subsections of 392.200, despite the FCC's specific reservation of authority over plans that are not approved by state commissions by June 22, 1999.

The Commission's general authority over telecommunications companies does not suffice to overcome a specific reservation of authority by the FCC. The Commission finds that, because of QCC's tardiness in filing for approval of its ILDP plan, the FCC and not this Commission has jurisdiction to approve or disapprove it. The Commission will dismiss QCC's application.

**IT IS THEREFORE ORDERED:**

1. That this case is dismissed.
2. That this order shall become effective on October 15, 1999.
3. That this case may be closed on October 18, 1999.

**BY THE COMMISSION**



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

(S E A L)

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

Mills, Deputy Chief Regulatory Law Judge

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<sup>1</sup> All statutory references are to the Revised Statutes of Missouri 1994.

**RECEIVED**  
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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION