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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Eagle)	
Communications Missouri, Inc. for a)	
Certificate of Service Authority to Provide)	
Basic Local Telecommunications Services in)	<u>Case No. TA-2000-313</u>
Portions of the State of Missouri and to)	
Classify Said Services and the Company as)	
Competitive)	

ORDER GRANTING INTERVENTION AND
DIRECTING FILING OF PROCEDURAL SCHEDULE

Eagle Communications Missouri, Inc. (Eagle) filed an application on November 2, 1999, for a certificate of service authority to provide resold and facilities-based basic local telecommunications services in portions of the state of Missouri and to classify said services and company as competitive. Eagle wishes to provide facilities-based and resold services in all the exchanges currently served by Southwestern Bell Telephone Company (SWBT).

On November 9, the Commission issued a notice directing interested parties to file applications to intervene no later than December 9. SWBT filed an application to intervene on November 24. SWBT stated that it has an interest in the Commission's decision because it provides basic local exchange services and will be in direct competition with Eagle if the certificate is granted. SWBT argued that no other party will adequately protect its interests in this matter and that its intervention would be in the public interest

because of SWBT's expertise and experience in the telecommunications industry.

The Commission has reviewed SWBT's application to intervene and finds that it is in substantial compliance with Commission rules regarding intervention and that SWBT has an interest in this matter which is different from that of the general public. 4 CSR 240-2.075. The Commission concludes that SWBT's request for intervention should be granted and that the parties should file a proposed procedural schedule. The procedural schedule shall include either dates for the filing of testimony and for a hearing, or a date for the filing of a stipulation and agreement. If no party requests a hearing, the Commission may grant the service authority and competitive classification requested without a hearing. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2D 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

1. That Southwestern Bell Telephone Company's application for intervention filed on November 24, 1999 in accordance with 4 CSR 240-2.075(4) is granted.

2. That the parties shall file a proposed procedural schedule no later than 3 p.m. on January 12, 2000. The procedural schedule shall include either dates for the filing of testimony and for a hearing, or a date for the filing of a stipulation and agreement.

3. That this order shall become effective on December 23,
1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly R. Register, 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 13th day of December, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION