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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Midwestern)
Services L.C., doing business as Midwestern Tel,)
for the Approval of an Interconnection Agreement)
under the Telecommunications Act of 1996.) Case No. TO-99-459

ORDER DIRECTING FILING

On April 12, 1999, Midwestern Services L.C., doing business as Midwestern Tel (Midwestern), filed an application with the Commission seeking approval of an interconnection agreement with Southwestern Bell Telephone Company (SWBT) under the provisions of the federal Telecommunications Act of 1996 (the Act). Midwestern's application is deficient in several respects.

Commission Rule 4 CSR 240-2.060(1) requires that all applications comply with Rule 4 CSR 240-2.080, pertaining to pleadings. That rule, in turn, at subsection (4), requires that a copy of every pleading be served upon the Office of the Public Counsel (OPC). Neither Midwestern's application nor the accompanying cover letter states that a copy has been served upon the OPC, and the Commission can only assume that such service has not been completed. Midwestern must file a certificate of service or other proof of service, showing that the requirement of the rule has been met.

Rule 4 CSR 240-2.060(1)(A) requires that every application state the legal name of the applicant and show "evidence of registration of fictitious name with the Missouri secretary of

state[.]” Midwestern’s application asserts that Midwestern does business under a fictitious name, yet Midwestern has not filed proof that it has registered that name with the secretary of state. Likewise, Rule 4 CSR 240-2.060(1)(A) requires that every application set out the street and mailing address of the applicant’s principal place of business. Midwestern’s application does not contain this information.

IT IS THEREFORE ORDERED:

1. That Midwestern Services L.C., doing business as Midwestern Tel, shall, within ten (10) days of the effective date of this Order, supplement its application by filing proof of service of its application upon the Office of the Public Counsel; proof of registration of its fictitious name with the Missouri secretary of state; and a pleading showing the street and mailing addresses of its principal place of business.

2. That this order shall become effective on April 27, 1999.

BY THE COMMISSION

Dale Hardy Roberts

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

(S E A L)

Kevin A. Thompson, Deputy Chief
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 15th day of April, 1999.

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**COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION**