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The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing or an

application to participate without intervention. Participation may be permitted for the limited purpose of filing comments addressing whether this agreement meets the federal standards for approval of interconnection agreements. The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2D 494, 496 (Mo. App. 1989).

Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously and, if there are no requests for a hearing, relief may be granted based on the verified petition. The Commission finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send notice to all interexchange and local exchange telecommunications companies.

2. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than June 10, 1999, with:

Secretary of the Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Mark P. Johnson
Lisa C. Creighton
Attorneys for Dakota Services Limited
Sonnenschein Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, Missouri 64111

Paul G. Lane
Leo J. Bub
Anthony K. Conroy
Katherine C. Swaller
Attorneys for Southwestern Bell Telephone Company
One Bell Center, Room 3536
St. Louis, Missouri 63101-1976

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

3. That Southwestern Bell Telephone Company is made a party to this case.

4. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than July 28, 1999.

5. That this order shall become effective on June 2, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, 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 21st day of May, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION