

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
April 27, 2001**

CASE NO: TO-2001-589

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Thomas R. Parker
Verizon Midwest
601 Monroe Street, Suite 304
Jefferson City, MO 65101-3202

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Direct2Internet Corporation
Attn: Chris Bilander
3701 FAU Blvd., Suite 210
Boca Raton, FL 33431

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



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

Uncertified copies:

To all interexchange and local exchange telecommunications companies.

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of GTE)
Midwest Incorporated d/b/a Verizon Midwest)
for Approval of an Interconnection Agreement) Case No. TO-2001-589
with Direct2Internet Corporation, Pursuant)
to Section 252(e) of the Telecommunications)
Act of 1996)

ORDER DIRECTING NOTICE
AND MAKING DIRECT2INTERNET CORPORATION A PARTY

On April 20, 2001, GTE Midwest Incorporated d/b/a Verizon Midwest (Verizon) filed an application with the Commission for approval of an interconnection agreement with Direct2Internet Corporation (Direct2), under the provisions of the federal Telecommunications Act of 1996 (the Act). Verizon states that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest.

Although Direct2 is a party to the agreement, it did not join in the application. Because Direct2 is a necessary party to a full and fair adjudication of this matter, the Commission will add Direct2 as a party to this case.

The Act provides that an interconnection or resale agreement must be approved unless the state commission finds that the agreement discriminates against a telecommunications carrier not a party to the

agreement, or that implementation of the agreement is not consistent with the public interest, convenience, and necessity. 47 U.S.C. § 252(e).

The Commission finds that proper persons should be allowed 15 days from the issuance of this order to file a motion for hearing. 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 Direct2Internet Corporation is made a party to this case.
3. That any party wishing to request a hearing shall do so by filing a pleading no later than May 10, 2001, with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Thomas R. Parker
601 Monroe Street, Suite 304
Jefferson City, Missouri 65101-3202
Attorney for GTE Midwest Incorporated
d/b/a Verizon Midwest

Direct2Internet Corporation
Attn: Chris Bilander
3701 FAU Blvd., Suite 210
Boca Raton, Florida 33431

and:

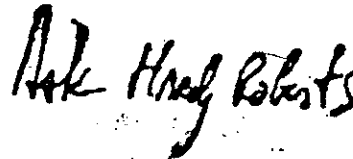
Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

General Counsel
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

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 May 31, 2001.

5. That this order shall become effective on May 4, 2001.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Keith Thornburg, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

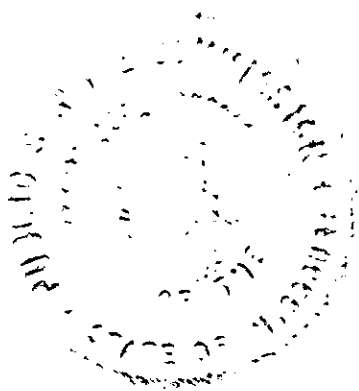
Dated at Jefferson City, Missouri,
on this 27th day of April, 2001.

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 27th day of April 2001.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge