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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. d/b/a )  
Midwestern Tel, for a Certificate of )  
Service Authority to Provide Basic )  
Local Telecommunications Services and ) **CASE NO. TA-97-469**  
Local Exchange Telecommunications )  
Services in the State of Missouri and )  
to Classify the Company and Its )  
Services as Competitive. )

**AMENDED ORDER AND NOTICE**

Midwestern Services L.C. d/b/a Midwestern Tel (Midwestern) filed an application on April 23, 1997, for a certificate of service authority to provide basic local telecommunications service in the State of Missouri under 4 CSR 240-2.060(4). An Order and Notice was issued and interventions were granted. Subsequently, on June 18, Midwestern filed an amended application. The primary difference in the amended application is that Midwestern now seeks waiver of different statutes and Commission rules than those listed in its original application.

Specifically, Midwestern wishes to provide resold and facilities-based services in the exchanges currently served by Southwestern Bell Telephone Company (SWBT) and GTE Midwest Incorporated (GTE). Midwestern asked to be classified as a competitive company and receive a lesser degree of regulation as permitted by §§ 392.361 and 392.420 RSMo.<sup>1</sup> Midwestern filed an illustrative local exchange tariff for the resale of SWBT services, and requested a temporary waiver of 4 CSR 240-2.060(4)(H), which requires an applicant to file a tariff simultaneously with its application,

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

on the grounds that it is impossible for Midwestern to prepare a tariff until it has executed an interconnection or resale agreement with GTE and that agreement has been approved by the Commission. Finally, Midwestern requested waiver of the following statutes and Commission rules:

Statutes

392.210.2  
392.270  
392.280  
392.290.1  
392.300.2  
392.310  
392.320  
392.330  
392.340

Commission Rules

4 CSR 240-10.020  
4 CSR 240-30.040  
4 CSR 240-35

The Commission finds that notice of this application should be sent to the same companies that receive notice of applications for interexchange service authority, and that interested parties should have the opportunity to intervene. Applications to intervene should be submitted by July 10, 1997, to the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies sent to:

Albert S. Watkins  
Kodner, Watkins, Muchnick & Dunne, L.C.  
Old Town Executive Office Building  
168 North Meramec Avenue, Suite 200  
St. Louis, Missouri 63105-3758

If no one requests a hearing, the Commission may determine that no hearing is necessary and grant the authority requested based on the verified petition. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

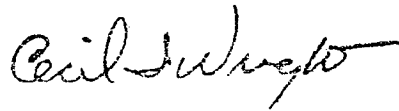
**IT IS THEREFORE ORDERED:**

1. That the Records Department of the Commission shall send notice of this application as described above.

2. That parties wishing to intervene shall file an application to intervene no later than July 10, 1997.

3. That this order shall become effective on the date hereof.

**BY THE COMMISSION**

A handwritten signature in cursive script, appearing to read "Cecil I. Wright", with a long horizontal flourish extending to the right.

**Cecil I. Wright  
Executive Secretary**

(S E A L)

Elaine E. Bensavage, Administrative  
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 20th day of June, 1997.