BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the	Matter of an Investigation into Various)	
Issues Fund.	Related to the Missouri Universal Service)	Case No. TO-98-329
Euna.		,	

ORDER GRANTING INTERVENTION OUT OF TIME

The Commission established this case by order issued on February 17, 1998, for the purpose of considering issues surrounding implementation of the Missouri Universal Service Fund. The Commission directed parties wishing to intervene to file an application to intervene no later than March 19. The parties have since met in prehearing conference and a procedural schedule has been established.

The State of Missouri, through the Attorney General, filed an application to intervene out of time on May 15, 1998. The Attorney General stated that the State of Missouri and its agencies, departments, and institutions are major consumers of telecommunications services which are procured entirely through the use of public funds. Therefore, the State has a significant interest in this case which is different from that of the general public and cannot be adequately protected by any other party. The application states that the Attorney General did not receive notice of Staff's motion to open this case and that the application was filed as quickly as possible after the Attorney General's Office learned of the case during the first week of May.

The Commission has reviewed the application to intervene and notes that no party has filed an objection. The Commission finds that, other

than the lack of timeliness, the application is in substantial compliance with the Commission's rules regarding intervention. The Commission also finds that the applicant has an interest in this matter different from that of the general public, and that permitting the Attorney General to intervene on behalf of the State of Missouri will not unduly delay the proceeding or cause prejudice to any party. Therefore, the application to intervene out of time will be granted.

IT IS THEREFORE ORDERED:

- 1. That the State of Missouri, as represented by its Attorney General, is granted intervention in accordance with 4 CSR 240-2.075.
 - 2. That this order shall become effective on June 12, 1998.

BY THE COMMISSION

Hole Hard Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(SEAL)

L. Anne Wickliffe, 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 2nd day of June, 1998.