

1/1/99

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of BarTel)
Communications, Inc. for a Certificate of)
Service Authority to Provide Basic Local) Case No. TA-99-138
Telecommunications Service in Portions of the)
State of Missouri and Classify Said Service)
as Competitive.)

**ORDER GRANTING INTERVENTION AND DIRECTING FILING
OF PROCEDURAL SCHEDULE**

BarTel Communications, Inc. (BarTel) filed an application for authority to provide resold basic local telecommunications services in portions of the State of Missouri on October 5, 1998. BarTel wishes to provide non-facilities-based resold services in all the exchanges currently served by the incumbent local exchange companies of Southwestern Bell Telephone Company (SWBT), GTE Midwest Incorporated (GTE) and Sprint of Missouri (Sprint). The Commission issued notice and schedule of applicants, directing interested parties to file applications to intervene no later than November 12, 1998.

Southwestern Bell Telephone Company (SWBT) filed a timely application to intervene. SWBT states that it has an interest in the Commission's decision in this case because it provides basic local exchange services and will be in direct competition with BarTel if the certificate is granted. SWBT argues that no other party will adequately protect its interests in this matter and that its intervention would be in the public interest because of SWBT's expertise and experience in the telecommunications industry.

The Commission has reviewed the application and finds that it is in substantial compliance with Commission rules regarding intervention and that the applicant has an interest in this matter that is different from that of the general public. The Commission concludes that this request for intervention should be granted and that the parties should file a proposed procedural schedule. The procedural schedule must include either dates for the filing of testimony and for a hearing, or a date for the filing of a Stipulation and Agreement. If no party requests a hearing, the Commission may grant the service authority and competitive classification requested without a hearing. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

THEREFORE, IT IS ORDERED:

1. That Southwestern Bell Telephone Company is granted intervention in this case in accordance with 4 CSR 240-2.075(4).

2. That the parties shall file a proposed procedural schedule no later than December 21, 1998. The procedural schedule shall include either dates for the filing of testimony and for a hearing, or a date for the filing of a Stipulation and Agreement.

3. That this order shall be effective on November 20, 1998.

BY THE COMMISSION

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive style with a large initial "D".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Anji Gandhi, 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 20th day of November, 1998.