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Nextlink Missouri, Inc. (Nextlink) filed an application on August 4, 1998, for a certificate of service authority to provide basic local and local exchange telecommunications service in the State of Missouri under 4 CSR 240-2.060(4). Nextlink wishes to provide both resold and facilities-based services in the exchanges currently served by Southwestern Bell Telephone Company (SWBT), GTE Midwest Incorporated (GTE), and Sprint Missouri, Inc. d/b/a Sprint (Sprint). The Commission issued a notice and schedule of applicants, directing interested parties to file applications to intervene no later than September 10.

SWBT filed an application to intervene on August 27, stating 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 this company 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 it is in substantial compliance with Commission rules regarding intervention and

that SWBT has an interest in this matter which is different from that of the general public. The Commission concludes that the 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).

IT IS THEREFORE ORDERED:

1. That Southwestern Bell Telephone Company (SWBT) 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 October 16, 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 September 29, 1998.

BY THE COMMISSION

(S E A L)

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

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 16th day of September, 1998.

