## BEFORE THE PUBLIC SERVICE COMMISSION

### OF THE STATE OF MISSOURI

In the Matter of the Application of BellSouth BSE, )
Inc. for a Certificate of Convenience and Necessity ) Case No. TA-98-124
to Provide Basic Local Exchange and Interexchange )
Telecommunications Services Throughout Missouri.

# ORDER GRANTING INTERVENTIONS AND DIRECTING FILING OF PROCEDURAL SCHEDULE

BellSouth BSE, Inc. (BellSouth BSE) filed an application on September 18, 1997 for certificates of service authority to provide basic local telecommunications service, and interexchange telecommunications service in the state of Missouri under 4 CSR 240-2.060(4). Specifically, BellSouth BSE wishes to provide resold and facilities-based services in all the exchanges currently served by Southwestern Bell Telephone Company (SWBT), GTE Midwest Incorporated (GTE), and United Telephone Company of Missouri, d/b/a Sprint (Sprint-United). The Commission issued an Order and Notice directing interested parties to file applications to intervene no later than October 24.

SWBT, the Small Telephone Company Group<sup>1</sup> (STCG), and Bourbeuse Telephone Company and Fidelity Telephone Company (Fidelity) filed timely applications to intervene.

BPS Telephone Company, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Inc., Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company, Goodman Telephone Company, Inc., Granby Telephone Company, Grand River Mutual Telephone Corporation, Green Hills Telephone Corporation, Holway Telephone Company, KLM Telephone Company, Kingdom Telephone Company, Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, McDonald County Telephone Company, Miller Telephone Company, New Florence Telephone Company, New London Telephone Company, Orchard Farm Telephone Company, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Rock Port Telephone Company, Seneca Telephone Company, Steelville Telephone Exchange, Inc., and Stoutland Telephone Company.

SWBT states that it has a direct 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 STCG and Fidelity state that, although this certificate application is limited to exchanges served by SWBT, GTE, and Sprint-United, the Commission's decision will affect all subsequent applications for service authority and thereby affect STCG and Fidelity as providers of telecommunications services in the state. STCG and Fidelity also state that their intervention would be in the public interest because of their expertise in the telecommunications industry.

The Commission has reviewed the applications and finds that they are in substantial compliance with Commission rules regarding intervention and that the applicants each have an interest in this matter which is different from that of the general public. The Commission concludes that all these requests 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 the following parties are granted intervention in this case in accordance with 4 CSR 240-2.075(4):

Southwestern Bell Telephone Company The Small Telephone Company Group Fidelity Telephone Company and Bourbeuse Telephone Company

- 2. That the parties shall file a proposed procedural schedule no later than November 14, 1997. 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 become effective on October 31, 1997.

BY THE COMMISSION

Ceil July

Cecil I. Wright
Executive Secretary

(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 31st day of October, 1997.

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