

CM
CK
Ro
B✓

5/19

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of U.S. Telco,)
Inc., for Certificates of Service Authority to)
Provide Basic Local Telecommunications Service in) **Case No. TA-97-444**
Portions of the State of Missouri and to Classify)
Said Services as Competitive.)
)

ORDER GRANTING INTERVENTION
AND DIRECTING FILING OF PROCEDURAL SCHEDULE

U.S. Telco, Inc. (U.S. Telco) filed an application on April 8, 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). Specifically, U.S. Telco wishes to provide resold 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 May 8.

The following parties filed timely applications to intervene:

The Small Telephone Company Group (STCG)
(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);

Fidelity Telephone Company and Bourbeuse Telephone Company (collectively Fidelity); and

Southwestern Bell Telephone Company (SWBT).

The STCG and Fidelity state that, although this certificate application is limited to exchanges served by SWBT, GTE and 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.

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 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 these requests for intervention should be granted and that the parties should file a proposed procedural schedule. 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):

The Small Telephone Company Group

(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);

Fidelity Telephone Company and Bourbeuse Telephone Company; and

Southwestern Bell Telephone Company.

2. That the parties shall file a proposed procedural schedule no later than June 3, 1997.

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

BY THE COMMISSION

(S E A L)



**Cecil I. Wright
Executive Secretary**

L. Anne Wickliffe, Deputy Chief
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 19th day of May, 1997.