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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Mark Twain)
Communications Company for a Certificate of)
Service Authority to Provide Basic Local Telecom-) **Case No. TA-98-305**
munications Service in Portions of the State of)
Missouri and to Classify Said Services and the)
Company as Competitive.)
)

ORDER AND NOTICE

Mark Twain Communications Company (MTCC) filed an application on January 22, 1998, 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, MTCC wishes to provide facilities-based, and possibly resold, services in all the exchanges currently served by GTE Midwest Incorporated (GTE). MTCC asked to be classified as a competitive company and receive a lesser degree of regulation as permitted by Sections 392.361 and 392.420, RSMo.¹ MTCC requested a temporary waiver of 4 CSR 240-2.060(4)(H) that requires an applicant to file a tariff simultaneously with its application until it has executed an interconnection agreement with the underlying CLEC and that agreement has been approved by the Commission. Finally, MTCC requested waiver of the following statutes and Commission rules:

¹ All statutory references are to the Revised Statutes of Missouri 1994 unless otherwise indicated.

Statutes

392.210.2
392.270
392.280
392.290.1
392.300.2
392.310
392.320
392.330
392.340

Commission Rules

4 CSR 240-10.020
4 CSR 240-30.040
4 CSR 240-35

The Commission finds that notice of this application should be sent to all certificated Missouri telecommunications companies, and that interested parties should have the opportunity to intervene. Applications to intervene should be submitted by February 27, 1998, to the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies sent to:

W.R. England, III
Sondra B. Morgan
Brydon, Swearngen & England, P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102

If no one requests a hearing, the Commission may determine that no hearing is necessary and grant the authority requested based on the verified petition. 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 the Records Department of the Commission shall send notice of this application to all certificated Missouri telecommunications companies.

2. That parties wishing to intervene shall file an application to intervene no later than February 27, 1998.

3. That this order shall become effective on January 28, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Amy E. Randles, 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 28th day of January, 1998.

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

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 28th day of January, 1998.



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
January 28, 1998**

CASE NO: TA-98-305

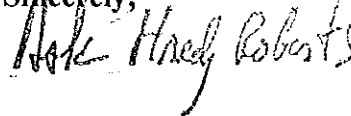
✓ **Office of the Public Counsel**
P. O. Box 7800
Jefferson City, MO 65102

✓ **General Counsel**
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

W.R. England, III/Sondra B. Morgan
Brydon, Swearingen & England, P.C.
312 East Capitol Avenue, PO Box 456
Jefferson City, MO 65102

Enclosed find certified copy of ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

Bill Rohde
Mark Twain Communications Company
P.O. Box 128
Hurdland, MO 63547-0128

To all certificated Missouri telecommunications companies