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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of)	
BroadSpan Communications, Inc. for)	
Expanded Certificates of Service)	
Authority to Provide Basic Local)	
Telecommunications Services, Local)	<u>Case No. TA-99-22</u>
Exchange Telecommunications Services,)	
Exchange Access Services, and)	
Interexchange Telecommunications Services)	
in the State of Missouri and for Continued)	
Competitive Classifications.)	

ORDER GRANTING INTERVENTION AND DIRECTING FILING
OF PROCEDURAL SCHEDULE

BroadSpan Communications, Inc. (BroadSpan) filed an application on July 10, 1998, for expanded certificates of service authority to provide basic local, dedicated non-switched local exchange (local exchange) and interexchange telecommunications service in the State of Missouri under 4 CSR 240-2.060(4). BroadSpan obtained a conditional certificate of service authority to provide such services in Case No TA-98-181. However, BroadSpan's basic local certificate currently covers only specific exchanges served by Southwestern Bell Telephone Company (SWBT), GTE Midwest Incorporated (GTE), Sprint Missouri, Inc. f/k/a United Telephone Company of Missouri (Sprint). BroadSpan wishes to expand the geographic area in which it may offer basic local services and clarify that it may offer local exchange and interexchange services throughout the state. The Commission issued an order and notice, directing

interested parties to file applications to intervene no later than August 13.

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 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 SWBT's application and finds that 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 SWBT's 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 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 10, 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 11, 1998.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

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 1st day of September, 1998.