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

In the Matter of the Application of )  
Level 3 Communications, L.L.C. for a )  
Certificate of Service Authority to )  
Provide Basic Local Exchange ) **Case No. TA-99-171**  
Telecommunications Services and Local )  
Exchange Telecommunications Services in )  
the State of Missouri and for Competitive )  
Classification. )

**ORDER GRANTING INTERVENTION, SETTING A PREHEARING CONFERENCE**  
**AND DIRECTING FILING OF PROCEDURAL SCHEDULE**

Level 3 Communications, LLC (Level 3 ) filed an application on October 19, 1998, for a certificate of service authority to provide basic local telecommunications services and local exchange telecommunications service in the State of Missouri. Level 3 wishes to provide basic local telecommunications services and exchange access 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 an order and notice, directing interested parties to file applications to intervene no later than November 26, 1998.

SWBT timely filed an application to intervene. SWBT stated that it has a direct interest in the Commission's decision regarding Level 3's application because Level 3 will be in direct competition with SWBT. SWBT states that its interest as a provider of basic local exchange

service differs from that of the general public. SWBT further states that its intervention would be in the public interest because of its expertise in the telecommunications industry.

The Commission has reviewed the application and finds that it is in substantial compliance with Commission rules regarding intervention and that the applicant has an interest in this matter that 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. In order to assist in the development of the procedural schedule and to clarify the issues in dispute, an early prehearing conference will be scheduled. The procedural schedule shall include dates for the filing of testimony and for a hearing. 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 an early prehearing conference shall be held on January 8, 1999, beginning at 10:00 a.m. The prehearing conference shall be held in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Anyone wishing to attend who has special needs as addressed

by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the prehearing conference at: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

3. That the parties shall file a proposed procedural schedule no later than January 15, 1999. The procedural schedule shall include dates for the filing of testimony and for a hearing.

4. That this order shall become effective on December 14, 1998.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, 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 3rd day of December, 1998.