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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 9th
day of October, 1997.

In the Matter of TCG St. Louis for)
Arbitration Pursuant to § 252(b) of)
the Telecommunications Act of 1996 to) CASE NO. TO-98-14
Establish an Interconnection)
Agreement with Southwestern Bell)
Telephone Company.)

**ORDER REGARDING RESPONSE TO ORDER REGARDING
JURISDICTION**

On September 4, 1997, the Commission issued its Order Regarding Jurisdiction and Status of Case. That order set out facts showing that the parties to this case have attempted to initiate the arbitration process on several occasions and have, on each occasion, used a different "start date" for the purpose of requesting interconnection. The Commission concluded that this case does not come before the Missouri Public Service Commission under the Telecommunications Act of 1996 and that the timelines of the Act do not apply. Therefore, the Commission canceled the evidentiary hearing and ordered "that the parties shall file a pleading as to how they proposed to proceed no later than September 11, 1997."

On September 11, the Commission received a brief correspondence from the attorney for Teleport Communications Group (TCG) which suggested that an attached piece of correspondence was the response of his client. Attached to the attorney's letter was a letter which appeared to have been written from a TCG employee to a SWBT employee. Such a filing does not satisfy the order of the Commission. This is not a pleading nor is it signed by an attorney licensed to practice in the State of Missouri.


Assuming, *arguendo*, that this were signed by an attorney, it is still not directed to the Commission and is in no way responsive to the order of the Commission.

The Commission renews its order of September 4, 1997, to the nonresponsive party, TCG.

IT IS THEREFORE ORDERED:

1. That Teleport Communications Group d/b/a TCG St. Louis shall file a pleading as to how it proposes to proceed not later than October 14, 1997. This pleading shall address whether TCG St. Louis wishes to proceed under Section 386.230, RSMo. 1994 and, if it does wish to proceed under Section 386.230, TCG shall include a proposed procedural schedule.
2. That the failure of TCG St. Louis to respond by October 14, 1997, shall result in dismissal of the application.
3. That this order shall become effective October 9, 1997.

BY THE COMMISSION



Cecil I. Wright
Executive Secretary

(S E A L)

Lumpe, Chm., Crumpton,
Murray, and Drainer,
CC., Concur.

Randles, Regulatory Law Judge