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BEFORE THE PUBLIC SERVICE COMMISSION

DE

OF THE STATE OF MISSOURI

In the Matter of the Application of Z-Tel)
Communications, Inc. for a Certificate of)
Service Authority to Provide Basic Local) Case No. TA-98-572
Telecommunications Service in Portions of)
the State of Missouri and to Classify Said)
Services and the Company as Competitive.)

ORDER GRANTING REQUEST TO WITHDRAW INTERVENTION

On August 4, 1998, the Commission issued an order which granted Z-Tel, Inc.'s (intervenor) request for intervention and directed the filing of a procedural schedule no later than September 4. Southwestern Bell Telephone Company was also granted intervention in that order. On August 12 Z-Tel Communications, Inc. (applicant) filed a motion to set aside the order granting intervention and requesting a stay of the order directing the filing of a procedural schedule.

An Order Granting Stay was issued on August 24, which stayed the filing of a procedural schedule until further order of the Commission. On that same date the intervenor filed a request to withdraw its intervention. In the cover letter accompanying the motion, the intervenor's counsel indicated that the intervenor intends to change its name and thus no longer has an objection to the application.

The Commission determines that the intervenor should be allowed to withdraw its intervention. The applicant's motion to set aside the previous order granting intervention is, therefore, moot.

Even though the order requiring the filing of a procedural schedule was stayed, a proposed procedural schedule was filed by the applicant on September 2. In its proposed procedural schedule, applicant indicates that a Stipulation and Agreement by the parties is likely to be filed on or before October 9. Since the intervention of Z-Tel, Inc. has been withdrawn there is no longer a need for the stay of the order requiring a procedural schedule to be filed. Therefore, the Commission determines that if the parties do not file a Stipulation and Agreement, the parties which have not already filed a proposed procedural schedule should do so.

IT IS THEREFORE ORDERED:

1. That the request to withdraw intervention filed on August 24, 1998 by Z-Tel, Inc. is granted.
2. That if the parties have not previously filed a Stipulation and Agreement, Staff, Office of the Public Counsel, and Southwestern Bell Telephone Company shall file a Proposed Procedural Schedule no later than October 19, 1998.
3. That this order shall be effective on October 8, 1998.

(S E A L)

Nancy Dippell, 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 8th day of October, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION