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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 13th
day of January, 1995.

Application of Cherry Communications, Incorporated)
for authorization as a reseller of interexchange) CASE NO. TA-95-103
telecommunications service.)

ORDER SUSPENDING TARIFF

On September 28, 1994, Cherry Communications Incorporated, (Cherry or Applicant), applied to the Missouri Public Service Commission (Commission) for a certificate of service authority to provide intrastate interexchange telecommunications services within the state of Missouri, for classification as a competitive telecommunications company, and for waiver of certain statutes and Commission rules as authorized by statute. The Commission issued its Notice and Schedule of Applicants on October 4, 1994, directing parties wishing to intervene in the case to do so by October 19, 1994. Cherry was also directed to file a proposed tariff, carrying a thirty-day effective date, reflecting the rates, rules, and regulations under which it proposes to offer services in Missouri.

Cherry filed its proposed tariff on October 18, 1994, with an effective date of November 18, 1994. On November 10, 1994, Cherry requested that the effective date of its tariff be extended to December 12, 1994; on December 6, 1994, Cherry requested a further extension to January 17, 1995.

The Office of the Public Counsel (OPC) filed a motion on December 6, 1994, requesting that Cherry's application be denied or that, in the alternative, a hearing be held regarding Cherry's fitness to provide interexchange services. The Commission issued its Notice stating that responses to OPC's motion should

be filed by December 16, 1994. On December 14, 1994, Cherry requested a thirty day extension of time for responding which was granted, making responses due on January 17, 1995.

As of this date, no responses have been filed and no request to extend the effective date have been received. The Commission is of the opinion that it is necessary to suspend the proposed tariff to allow resolution of the issues. In order to allow sufficient time to determine whether a hearing is appropriate and to allow Staff to study the effect of the proposed tariff to determine if it is just, reasonable, and in the public interest, it is the opinion of the Commission that the proposed tariff should be suspended for a period of one hundred and twenty days beyond January 17, 1995, the requested effective date, to May 17, 1995, or until otherwise ordered by this Commission.

IT IS THEREFORE ORDERED:

1. That the following tariff, filed on October 18, 1994, by Cherry Communications Incorporated, be suspended for a period of one hundred and twenty days to May 17, 1995, or until otherwise ordered by this Commission:

P.S.C. Mo. No. 1.

2. That this order shall become effective on the 17th day of January, 1995.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Perkins,
and Crumpton, CC., Concur.
Kincheloe, C., Absent.