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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 28th  
day of December, 1994.

In the matter of the Joint Application )  
of GTE Midwest Incorporated and Northeast )  
Missouri Rural Telephone Company and )  
Modern Telecommunications Company for )  
authority to sell, purchase, and transfer )  
telephone properties and assets related to )  
the telephone exchanges of Memphis, Union- )  
ville and Queen City in the state of )  
Missouri, and for authority to encumber )  
assets necessary to finance the proposed )  
transaction. )

Case No. TM-95-142

ORDER CONCERNING APPLICATION

On October 26, 1994, GTE Midwest Incorporated (GTE) and  
Northeast Missouri Rural Telephone Company (Northeast) and Modern  
Telecommunications Company (Modern) (also collectively referred to as Joint  
Applicants) filed a joint Application for Commission approval of the  
acquisition by Modern of part of GTE's franchise, facilities and system,  
pursuant to §392.300, RSMo Supp. 1993. Modern apparently intends to offer  
local exchange service in the place of GTE by virtue of the acquisition.  
However, Modern does not possess the requisite Certificate of Service  
Authority and has not applied for approval of such a certificate, either  
separately or within this docket. Assuming that Modern is permitted to  
complete the acquisition of a portion of GTE's system, Modern could not  
provide telecommunication services in Missouri absent a Commission approved  
Certificate of Service Authority. See, eg., §392.410, RSMo Supp. 1993.

In order to obtain a Certificate of Service Authority, Modern  
must either file a separate application requesting a Certificate of Service  
Authority or must amend the joint Application to reflect the inclusion of

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Modern's request seeking a Certificate of Service Authority within this docket. Modern must also comply with the requirements of 4 CSR 240-2.060(2).

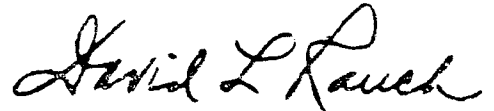
The Commission finds that absent an application for a Certificate of Service Authority the Commission may review the necessity of proceeding with this case inasmuch as it appears to be an application for authority which cannot be granted as the application is now filed.

**IT IS THEREFORE ORDERED:**

1. That Modern Telecommunications Company file an application for Certificate of Service Authority describing the type of service it seeks to offer and comply with 4 CSR 240-2.060(2) or, in the alternative, show cause why the application in this case should not be dismissed.

2. That this order shall become effective on the date hereof.

BY THE COMMISSION



David L. Rauch  
Executive Secretary

(S E A L)

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