

B

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 1st
day of December, 1995.

In Re: Application of GE Capital-ResCom, L.P., for)
certificate of service authority to provide shared) Case No. TA-95-125
tenant services.)
)

ORDER REJECTING APPLICATION FOR REHEARING

On November 7, 1995, GTE Midwest Incorporated (GTE) filed its application for rehearing. This application for rehearing was not filed on or before the effective date, but rather, was filed with the Commission on the day after the effective date. The Commission cannot accept an application for rehearing which is filed two days out of time. Therefore, GTE's application for rehearing is hereby rejected.

On November 21, 1995, GTE filed a letter addressed to the Executive Secretary of the Commission in which GTE attempts to argue on behalf of Southwestern Bell Telephone Company's (SWBT's) application for rehearing. Irrespective of the form in which it is offered, this is yet another application for rehearing and, as such, this tactic is inappropriate. GTE's application for rehearing was not timely filed and its attempt to relabel and resubmit its arguments in order to circumvent a statutory filing deadline will not be permitted.

IT IS THEREFORE ORDERED:

1. That the application for rehearing of GTE Midwest Incorporated is hereby rejected as having been filed two (2) days out of time.

R

2. That the arguments in support of rehearing of GTE Midwest Incorporated directed to the Executive Secretary of the Commission and filed on November 21, 1995, are hereby rejected as having been filed out of time.

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

BY THE COMMISSION

A handwritten signature in cursive script that reads "David L. Rauch".

**David L. Rauch
Executive Secretary**

(S E A L)

Mueller, Chm., McClure and
Drainer, CC., concur.
Kincheloe and Crumpton, CC.,
dissent.