

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
August 5, 1998**

**CASE NO: TA-98-575**

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**Paul G. Lane, Leo J. Bub  
Anthony K. Conroy, Katherine C. Swaller  
Southwestern Bell Telephone Company  
One Bell Center, Room 3520  
St. Louis, MO 63101**

**Enclosed find certified copy of ORDER in the above-numbered case(s).**

**Sincerely,**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

**Uncertified Copy:**

**MCImetro Access Transmission Services  
1801 Pennsylvania Avenue, N.W.  
Washington, DC 20006**

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of MCImetro )  
Access Transmission Services LLC for Certificates )  
of Service Authority to Provide Basic Local Tele- )  
communications Services, Local Exchange Telecom- )  
munications Services, Exchange Access Services, ) Case No. TA-98-575  
and Interexchange Telecommunications Services in )  
the State of Missouri and for Competitive )  
Classification. )  
)

**ORDER GRANTING INTERVENTION AND DIRECTING FILING  
OF PROCEDURAL SCHEDULE**

MCImetro Access Transmission Services, LLC (MCImetro) filed an application on June 22, 1998, for a certificate of service authority to provide basic local, local exchange and interexchange telecommunications services in the State of Missouri under 4 CSR 240-2.060(1) and (4). MCImetro wishes to provide facilities-based and resold services in all the exchanges currently served by Southwestern Bell Telephone Company (SWBT), GTE Midwest Incorporated (GTE), and United Telephone Company of Missouri d/b/a Sprint (Sprint). The Commission issued a Notice of Applications and Opportunity to Intervene on June 30. This notice directed interested parties to file applications to intervene regarding the interexchange application no later than July 15 and directed interested parties to file applications to intervene regarding the basic local application no later than July 30.

On July 14, Southwestern Bell Telephone Company (SWBT) filed a timely application to intervene. SWBT states that it has an interest in the Commission's decision in this case because it provides

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telecommunications services and will be in direct competition with MCImetro if the certificate is granted. SWBT argues that no other party will adequately protect its interests in this matter and that its intervention would be in the public interest because of SWBT's expertise and experience in the telecommunications industry.

The Commission has reviewed the application and finds that it is in substantial compliance with Commission rules regarding intervention and that the applicant has an interest in this matter which is different from that of the general public. The Commission concludes that the request for intervention should be granted and that the parties should file a proposed procedural schedule. The procedural schedule must include either dates for the filing of testimony and for a hearing, or a date for the filing of a Stipulation and Agreement. If no party requests a hearing, the Commission may grant the service authority and competitive classification requested without a hearing. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

**THEREFORE, IT IS ORDERED:**

1. That Southwestern Bell Telephone Company is granted intervention in this case in accordance with 4 CSR 240-2.075(4).

2. That the parties shall file a proposed procedural schedule no later than September 3, 1998. The procedural schedule shall include either dates for the filing of testimony and for a hearing, or a date for the filing of a Stipulation and Agreement.

3. That this order shall be effective on August 5, 1998.

**BY THE COMMISSION**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

(S E A L)

Brian K. Harper, 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 5th day of August, 1998.

ALJ/Sec'y: <u>Hester / Pope</u>	Date Circulated: <u>8-4</u>	Case No: <u>TA 98-525</u>
		<u>LA</u> Legal Coun. <u>Alwert</u> Cheryl, Compliance <u>On</u> Mickey, Compliance <u>PL</u> Schumann, Compliance <u>MD</u> Decker, Visa Clerk
	Received by: <u>8-7</u>	

**STATE OF MISSOURI  
OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 5th day of August, 1998.

*Dale Hardy Roberts*

**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**