

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
August 10, 1999**

CASE NO: TA-98-575

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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**

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 10th
day of August, 1999.

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

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO RESPOND, CANCELING
TARIFF AND CLOSING FILE

On June 22, 1998, MCImetro Access Transmission Services, LLC (MATS, LLC) filed an application for certificates of service authority and competitive classifications. On the same date, MATS, LLC filed an application for approval of a merger with MCImetro Access Transmission Services, Inc. (MATS, Inc.). That application was assigned case number TM-98-576. MATS, Inc., was to be merged into MATS, LLC and MATS, Inc., would cease to exist. The Commission approved MATS, LLC's application for certificates of service authority on October 27, 1998. MATS, LLC's Certificate of Service Authority to provide telecommunications services was to become effective when its tariff became effective. MATS, LLC did not initially file its own tariff. But in the Stipulation and Agreement that was approved in Case No. TA-98-575, MATS, LLC indicated that it intended to adopt the tariffs of MATS, Inc., after the merger of those two companies was approved.

The Commission approved the merger of MATS, Inc., into MATS, LLC by an order issued on October 28, 1998 in case number TM-98-576. At the time of the merger, MATS, Inc. had been granted a conditional certificate to provide telecommunications services but its tariff for those services had not yet been approved. The tariff of MATS, Inc. was approved by the Commission in an order issued on May 12, 1999 in case number TA-96-355. However, MATS, LLC did not file a notice adopting the tariffs of MATS, Inc.

Because the Commission was uncertain about the status of the certificates of service authority to provide telecommunications services that were issued MATS, LLC, it issued an order on July 1, 1999, directing MATS, LLC to file a report advising the Commission of its intentions with regard to the tariffs by which it proposes to provide telecommunications services. That Order also directed the Staff of the Public Service Commission (Staff) to file its response to the report of MATS, LLC no later than ten days following the filing of that report.

MATS, LLC filed a Report Regarding Tariffs on July 12. On July 22, Staff filed a Motion for Extension of Time to File Staff Response to Report Regarding Tariffs, which asked that it be allowed until July 29 to file its response. On July 27, MATS, LLC filed an Amended Report Regarding Tariffs. Staff filed its Response to Report Regarding Tariffs and Motion to Cancel Tariff on July 29.

MATS, LLC's Amended Report indicates that MATS, LLC has adopted its own tariffs covering all aspects of its service authority. Those tariffs took effect on June 27, 1999 and MATS, LLC intends to continue to provide

service under those tariffs. Staff's response agrees with the statements in MATS, LLC's Amended Report. Staff also indicates that in Case No. TO-96-344, Access Transmission Services, Inc., changed its name to MATS, Inc., which then adopted the private line tariff of Access Transmission Services, Inc. Although MATS, Inc. has been merged into MATS, LLC and MATS, LLC is operating under its own tariffs, MATS, Inc.'s tariff has not yet been canceled. Therefore, Staff requests that the Commission issue an order canceling Tariff No. 1 of Access Transmission Services, Inc., as adopted by MATS, Inc.


The reports filed by MATS, LLC and Staff have resolved the Commission's questions about the status of this matter. Staff's Motion for Extension of Time to File Response and Staff's Motion to Cancel Tariff will be granted. With the resolution of these questions, this file may now be closed.

IT IS THEREFORE ORDERED:

1. That the Motion for Extension of Time to File Staff Response to Report Regarding Tariffs filed on July 22, 1999, is granted.
2. That Tariff No. 1 of Access Transmission Services, Inc., as adopted by MCImetro Access Transmission Services, Inc., is canceled.
3. That this order shall become effective on August 20, 1999.

4. That this file may be closed on August 23, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Schemenauer, and Drainer, CC., concur
Crompton and Murray, CC., absent

Woodruff, Regulatory Law Judge

ALJ/Secy: Woodruff/Boyce

8-5 Date Circulated TA-98-575 CASE NO.

[Signature]
Lumpe, Chair

absent
Crumpton, Commissioner

absent
Murray, Commissioner

[Signature]
Schemenauer, Commissioner

[Signature]
Drainer, Vice-Chair

8-10
Agenda Date

Action taken: 3-0 AS

Must Vote Not Later Than _____

**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 10TH day of AUGUST, 1999.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge