

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
October 28, 1999**

CASE NO: TA-2000-31

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Southwestern Bell Telephone Company
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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

OF THE STATE OF MISSOURI

Case No. TA-2000-31

ORDER GRANTING INTERVENTION, DIRECTING

Prism Missouri Operations, LLC, (Prism) filed an application on July 15, 1999, for a certificate of service authority to provide interexchange, basic local and non-switched private line local exchange telecommunications service in portions of the state of Missouri and to classify said services and company as competitive. Prism wishes to provide facilities-based and resold services in all the exchanges currently served by Southwestern Bell Telephone Company (SWBT). Prism also filed a Motion for a Protective Order which was granted on August 2.

On July 27, the Commission issued a notice directing interested parties to file applications to intervene no later than August 11 for the interexchange applications and no later than August 26 for the basic local application. SWBT filed an application to intervene on August 11. SWBT stated that it has an interest in the Commission's decision because it provides basic local exchange services and will be

in direct competition with Prism 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 to intervene and finds that it is in substantial compliance with Commission rules regarding intervention and that SWBT has an interest in this matter which is different from that of the general public. 4 CSR 240-2.075. The Commission concludes that SWBT's request for intervention should be granted and that the parties should file a proposed procedural schedule. The procedural schedule must include dates for the filing of testimony and for a hearing. 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).

On August 18, Prism filed its Motion to Amend Application to request the standard waiver of 4 CSR 240-30.040. Amendments to applications that institute a proceeding may be offered at any time prior to submission of the matter to the commission for its decision. 4 CSR 240-2.080(14). No objection to Prism's Motion to Amend has been filed. Prism's Motion to Amend is in compliance with the rule relating to amendments of applications and therefore, the motion shall be granted.

IT IS THEREFORE 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 3:00 p.m. on November 30, 1999, unless a stipulation and agreement is filed on or before that time and date.
3. That the Motion to Amend Application filed by Prism Missouri Operations, LLC, on August 18, 1999, is granted.
4. That this order shall become effective on November 8, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly R. Register, 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 28th day of October, 1999.

**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 28th day of October, 1999.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge