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ORDER AND NOTICE

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The joint application states that Mark Twain was certificated by the Commission as a competitive local exchange company (CLEC) in Case No. TA-98-305. The joint application also states that Mark Twain currently provides basic local telecommunications services in the exchanges of Ewing, Lewistown and LaBelle under an interconnection and unbundling agreement with GTE which was approved by the Commission in Case No. TO-98-410. The joint applicants states that they have negotiated this agreement which they now submit to the Commission for approval, contingent upon the Commission's granting its approval for the sale and transfer of GTE's Ewing, Lewistown and LaBelle exchanges. The joint applicants also request that this interconnection agreement become effective upon the dates Spectra assumes ownership of these three exchanges.

The Act provides that an interconnection agreement must be approved unless the state commission finds that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement is not consistent with the public interest, convenience, and necessity. 47 U.S.C. § 252(e).

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing or an application to participate without intervention. Participation may be permitted for the limited purpose of filing comments addressing whether this agreement meets the federal standards for approval of interconnection agreements. The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has

requested the opportunity to present evidence. State ex rel.
Rex Deffenderfer Enterprises, Inc. v. Public Service Commission,
776 S.W.2D 494, 496 (Mo. App. 1989).

Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously and, if there are no requests for a hearing, relief may be granted based on the verified petition. The Commission finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send notice to all interexchange and local exchange telecommunications companies.

2. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than March 27, 2000 with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Sondra B. Morgan, Esq.
Brydon, Swearingen & England, P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102

Craig S. Johnson, Esq.
Andereck, Evans, Milne, Peace and Johnson, L.L.C.
305 East McCarty Street, 3rd Floor
Hawthorn Center
Post Office Box 1438
Jefferson City, Missouri 65102

and:

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

3. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than May 4, 2000.

4. That this order shall become effective on March 17, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly A. 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 7th day of March, 2000.