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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

PB
MP

In the Matter of the MoKan Dial, Inc. and)
Choctaw Telephone Company Joint Request for)
Clarification and Determination of Certain) Case No. TO-98-379
Aspects as to the Continued Provisioning of)
Metropolitan Calling Area Service)

ORDER SETTING PREHEARING CONFERENCE
AND MAKING SOUTHWESTERN BELL TELEPHONE COMPANY A PARTY

On March 9, 1998, MoKan Dial, Inc. (MoKan) and Choctaw Telephone Company (Choctaw) (jointly, Applicants) filed an application to determine certain aspects of the continued provisioning of MCA service. Applicants stated that they were both incumbent Missouri local exchange telecommunications companies providing basic local, local, and exchange access services in their respective exchanges or service areas in Missouri. Applicants had previously been ordered to provide metropolitan calling area service (MCA) in case number TO-92-306.

Applicants brought this action to request that the Commission rule on a lengthy list of issues, *inter alia*: whether MCA should be made available only to residential and business customers; whether MCA is available to interexchange carriers or other telecommunications service providers for administrative trunks only; whether MCA can or should be used for internet purposes; Southwestern Bell Telephone Company (SWBT) should be allowed to give MCA to numbers assigned for

paging and cellular service; whether SWBT has been assigning MCA service to entities not entitled to receive MCA service; whether MCA service will continue to be mandated; whether providers of MCA service will be allowed to propose such changes to the terms and conditions of MCA service as their business situation and competitive interests dictate; whether individuals and entities will be allowed to subscribe and resell MCA service, etc.

On July 16, 1998 and November 12, 1998, MoKan filed motions to determine availability of MCA service to Aerial Communications. MoKan requested that the Commission rule on a lengthy list of issues, basically covering the Commission's policies concerning metropolitan calling area services with respect to Aerial Communications, similar to the list of issues set forth above.

On December 4, 1998, Southwestern Bell Telephone Company (SWBT) filed Suggestions of Southwestern Bell Telephone Company Regarding Supplemental Motion To Determine Availability. The document answered all three motions previously filed. There is nothing in the record showing why SWBT filed this pleading. SWBT did not intervene, did not ask to participate without intervention, and otherwise did not otherwise ask to be made a party. However, since SWBT is the numbering code administrator, the Commission will make SWBT a party.

The Applicants filed a request for extension of time to respond to the suggestions of SWBT; on January 4, 1999, the Commission granted this extension; and on January 5, 1999, the Applicants filed a document called, "Suggestions of MoKan and Choctaw in Opposition to Southwestern Bell's Suggestions Regarding Supplemental Motion to

Determine Availability." Applicants once again requested that the Commission rule on a lengthy list of issues, basically covering what they had asked for before.

A prehearing conference should be scheduled to afford the parties the opportunity to discuss, define, and possibly resolve the issues presented in this case, or at least to agree on a procedural schedule. The Commission will also set a date for the filing of a proposed procedural schedule in order to ensure that this case progresses.

IT IS THEREFORE ORDERED:

1. That Southwestern Bell Telephone Company is made a party to this action.

2. That a prehearing conference will be held on April 14, 1999, at 10:00 a.m. at the Commission's offices on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

3. That anyone with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the prehearing or hearing at one of the following numbers: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

4. That the parties shall file a proposed procedural schedule no later than April 21, 1999.

5. That this order shall become effective on March 12, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior 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 12th day of March, 1999.

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COMMISSION ON JUDICIAL
PUBLIC SERVICE COMMISSION