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BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Mediation and Arbitration )  
of Remaining Interconnection Issues Between )  
MCI Telecommunications Corporation and Its ) Case No. TO-98-200  
Affiliates and Southwestern Bell Telephone )  
Company. )

ORDER AND NOTICE

MCI Telecommunications Corporation and its Affiliates, including MCImetro Access Transmission Services, Inc., (MCI) filed a motion on April 24, 1998 for approval of an interconnection agreement with Southwestern Bell Telephone Company (SWBT) pursuant to § 252 of the federal Telecommunications Act of 1996 (the Act), 47 U.S.C. § 151 *et seq.* MCI stated that it was filing the agreement to implement the adoption notice filed on March 20 to resolve the arbitration proceedings that were the original subject of this case. SWBT objected to MCI's motion on May 1. MCI replied to SWBT's objections on May 11.

The Commission finds that proper persons should be allowed 15 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 ninety 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 will take up SWBT's objections within ninety days following April 24, as prescribed by § 252(e)(4) of the Act. 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 or to intervene in this matter shall file an application no later than July 14, 1998 with the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri, 65102, and send copies to:

Carl J. Lumley  
Leland B. Curtis  
Curtis, Oetting, Heinz, Garrett & Soule, P.C.  
130 S. Bemiston Suite 200  
Clayton, MO 63105

Paul G. Lane  
Diana J. Harter  
Leo J. Bub  
Anthony K. Conroy  
Southwestern Bell Telephone Company  
One Bell Center, Room 3516  
St. Louis, MO 63101

3. That comments addressing whether this agreement meets the standards for approval of interconnection agreements must be filed no later than July 14, 1998.

4. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefore no later than July 14, 1998.

5. That this order shall become effective on June 29, 1998.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

( S E A L )

Amy E. Randles, 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 29th day of June, 1998.

RECEIVED

JUN 29 1998

COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION