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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Petition of MCI Telecom-)
munications Corporation to Require Southwestern) Case No. TO-99-125
Bell Telephone Company to Implement IntraLATA)
Presubscription No Later Than February 8, 1999.)

ORDER GRANTING INTERVENTIONS

AND DIRECTING FILING OF PROCEDURAL SCHEDULE

MCI Telecommunications Corporation (MCI) filed a petition on September 29, 1998, requesting that the Commission require Southwestern Bell Telephone Company (SWBT) to implement intraLATA presubscription no later than February 8, 1998. The Commission issued an order and notice, directing interested parties to file applications to intervene or to participate without intervention no later than November 13, 1998. The Small Telephone Company Group¹ (STCG), McLeodUSA Telecommunications Services, Inc. (McLeodUSA), Telecommunications Resellers Association (TRA), Sprint Communications Company L.P (Sprint), the County of Jackson, Missouri (Jackson County),

¹ For purposes of this case, the Small Telephone Company Group consists of: BPS Telephone Company, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Inc., Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company, Goodman Telephone Company, Inc., Granby Telephone Company, Grand River Mutual Telephone Cooperation, Green Hills Telephone Corporation, Holway Telephone Company, Iamo Telephone Company, KLM Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, McDonald Telephone Company, Miller Telephone Company, New Florence Telephone Company, New London Telephone Company, Orchard Farm Telephone Company, Oregon Telephone Company, Ozark Telephone Company, Rock Port Telephone Company, Seneca Telephone Company, and Steelville Telephone Exchange, Inc.

AT&T Communications of the Southwest, Inc. (AT&T), and Southwestern Bell Telephone Company (SWBT) filed timely applications to intervene. The Mid-Missouri Group of local exchange companies² (MMG) filed a timely application to participate without intervention. On December 9, 1998, Birch Telecom of Missouri, Inc. (Birch) filed an Application to Intervene out of time. There were no objections to any of the applications to intervene or to participate.

MMG states that its members are local exchange companies currently providing local services and exchange access. STCG states that its members provide basic local telecommunications services. Both MMG and STCG indicate that their members are secondary carriers under the Primary Toll Carrier Plan (PTC Plan). MMG and STCG believe that the Commission's decision will have ramifications upon the PTC Plan, the continuation of Community Optional Service, and on what toll providers will be eligible, required, or desired to provide toll service from local exchanges. MMG states that its interest is different from that of the general public and STCG states that its participation will serve the public interest.

McLeodUSA, AT&T, and Sprint state that they are providers of intrastate interexchange and local telecommunications services in the state. McLeodUSA, AT&T, and Sprint indicate that their interests are different from those of the general public and that their

² For purposes of this case the Mid-Missouri Group of local exchange companies consists of: Alma Telephone Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, Modern Telecommunications Company, MoKan Dial, (Continued on next page ...)

interventions would be in the public interest because of their expertise in the telecommunications industry.

Jackson County states that it is a political subdivision of the State of Missouri and that many of its citizens receive telephone service from SWBT. Jackson County requests intervention in order to protect its interest as a telephone user and to protect the interests of its citizens.

Birch states in its application that it is a provider of interexchange and intraexchange special access and private line services and of basic local telecommunications service. Birch requests intervention because the Commission's decision will directly impact its competitive opportunities.

TRA submitted an application to intervene which stated that its more than 650 members are providers of interexchange, local, wireless, and enhanced telecommunications services. TRA states that many of its members will be substantially and materially affected by the Commission's decision. TRA believes that its interest is different from that of the general public. TRA did not submit a list of the names of its members as required by 4 CSR 240-2.075(3).

SWBT also filed an application to intervene and is the subject of MCI's petition. Therefore, the Commission determines that SWBT is a necessary party and its intervention will be granted.

The Commission has reviewed the applications and determines that they are in substantial compliance with Commission rules

Inc., Northeast Missouri Rural Telephone Company, and Peace Valley Telephone Company.

regarding intervention with the exception of TRA's application. The Commission determines that the applicants each have an interest in this matter which is different from that of the general public. The Commission concludes that the requests for intervention of STCG, McLeodUSA, AT&T, Sprint, Birch, and SWBT, and the request for participation without intervention of MMG should be granted.

The Commission will not grant the application of TRA at this time. The Commission determines that TRA shall be given ten days in which to cure its application to intervene by filing the names of its members, and to request that the Commission reconsider its application to intervene.

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

THEREFORE, IT IS ORDERED:

1. That the applications for intervention filed by the Small Telephone Company Group, McLeodUSA Telecommunications Services, Inc., Sprint Communications Company L.P, the County of Jackson, Missouri, AT&T Communications of the Southwest, Inc., Birch Telecom of Missouri, Inc., and Southwestern Bell Telephone Company are granted.

2. That the application to participate without intervention filed by the Mid-Missouri Group of local exchange companies is granted.

3. That the application to intervene filed by the Telecommunications Resellers Association is denied for noncompliance with 4 CSR 240-2.075.

4. That the Telecommunications Resellers Association shall have until January 22, 1999, to cure its application to intervene and request that the Commission reconsider its intervention by filing a list of the association's members in compliance with 4 CSR 240-2.075(3).

5. That an early prehearing conference will be held on January 28, 1999, at 10:00 a.m. in the Commission's offices in Room 530, Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

6. That anyone wishing to attend who has special needs as addressed by the Americans With Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the prehearing conference at one of the following numbers: Consumer Services Hotline — 1-800-392-4211, or TDD Hotline — 1-800-829-7541.

7. That the parties shall file a proposed procedural schedule no later than February 8, 1999.

8. That this order shall become effective on January 22,
1999..

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Nancy Dippell, 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 January, 1999.

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COMMISSION COUNCIL
PUBLIC SERVICE COMMISSION